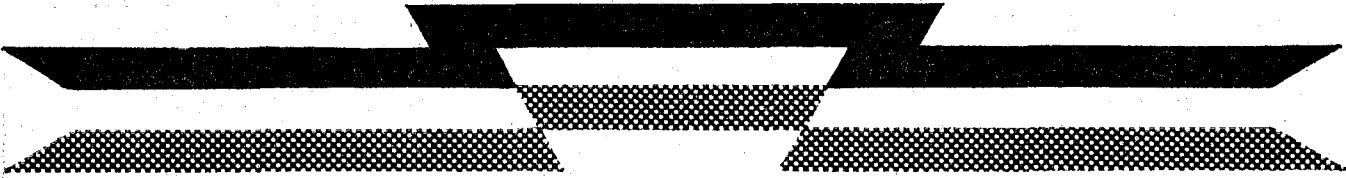


SEATTLE WORLD'S FAIR: *Lincoln Kirstein*

THE NATION

APRIL 7, 1962 . . 25c



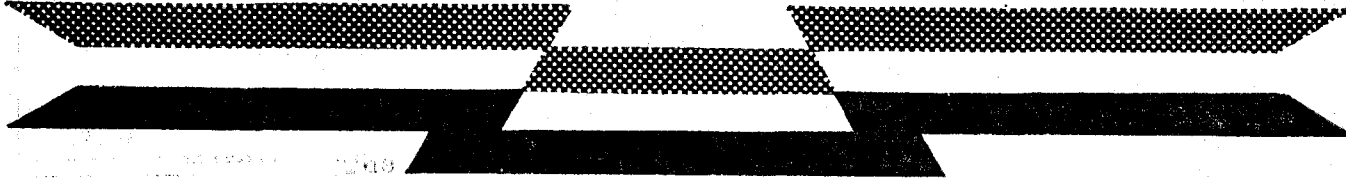
NIXON KICKS a HOLE IN the HISS CASE

Fred J. Cook



WALL STREET: A WALK on the WILD SIDE

Gerald Krefetz



LETTERS

Communism and Classrooms

Dear Sirs: I read with interest your article of March 10, "Education or Propaganda," by Lawrence E. Metcalf. It seems to me on the whole excellent, and most timely. There are one or two items of fact, however, relating to the Berkeley examples cited, which I think should be corrected.

I did, as stated, speak before the Berkeley School Board protesting the nature of the lecture series on communism—or anti-communism. The protest was largely on the grounds stated in the article. It should be made clear, however, that I did so as an individual citizen, and not as representing the PTA, although I am this year co-president, with my wife, of a local PTA. It is also true that while local protest, and the response of the School Board to that protest, succeeded in stripping the lecture series of the circus trappings which had originally been planned for it, this protest was at no time organized or sponsored by the PTA, as is implied in your article. Many PTA members were involved; however, it is undoubtedly true that many others were in favor of the series as planned. The "observers" who attended the lectures with lapel signs identifying them as such were not from the PTA, but from an informal group of local citizens who had met together to protest the rightist-rally nature of the series.

EPHRAIM KAHN, M.D.
Berkeley, Calif.

Dear Sirs: Certainly Mr. Metcalf's premise is valid that there is more propaganda than education in the current approach to teaching about communism; but what else is to be expected from a society that uses propaganda in the market place of both goods and that of ideas; that sees only polarities in matters social, religious and economic, as well as political; that gets, and then accepts, the mediocrity it pays for in its teachers; that is the only society in the West that has no political Left; that has made a virtue of conformism in every other social institution, as well as the schools?

Mr. Metcalf's statements that "a teacher of social studies who used his classroom as a forum for advancing his liberal views would soon find himself without a job" and "... most teachers have chosen to ignore communism rather than risk having their students

draw the 'wrong' conclusions" only add to the situation he bemoans, by scaring those who *might* want to take the chance and do the opposite; and it can be done.

It is being done, as a matter of fact: by prefacing a remark with "some thinkers feel that" or "they who hold this position are opposed to the idea that" or "you might not agree with a man I met who said," and so on. A little imagination and a nuance of voice inflection go a long way, Regrettable, yes, that these techniques have to be used at all, but don't count us out; it's not over yet.

LEE SIMON
Venice, Calif.

Master of Symbols

Dear Sirs: I have read *The Nation* each week since 1945 and my satisfaction increases steadily. . . . As a historian interested in language as the cause, not the conveyance, of meaning, I was particularly struck by the clarity of Howard Zinn's "The Force of Nonviolence" [March 17]. If it is true that symbols are all that stand between us and savagery, it is also true that "symbol malfeasance" accounts for much displaced hostility. Prof. Zinn is himself a master of the articulate symbol.

Washington, D.C. D. BRONKEMA

A Primary Consideration

Dear Sirs: Judging by recent developments, it looks as though we'll not have candidates for office in this country any more, but only Kennedates.

New Milford, Conn. HEINZ POL

Peril of Early Retirement

Dear Sirs: Donald B. Straus's article, "The Twenty-Year Work Span" [March 24] contains many misconceptions about leisure time and retirement. Compulsory retirement has proved to be a failure because retirement requires important psychological adjustment, and to force someone to retire before he is ready can lead to severe emotional problems.

I do not understand Mr. Straus's objection to the shorter work week. President Kennedy recently estimated that 25,000 employees are being displaced by automation each week; in addition, 25,000 young people are entering the labor force weekly. There is no other alternative but to pass on the benefits of our increased productivity in the form of the shorter work week.

Early retirement under the Social Security system might be the answer

for workers who have been displaced by automation and who are not retrainable. However, compulsory retirement at forty or fifty would create more problems than it would solve.

DONALD RUBIN
Pocketbook & Novelty Workers' Union,
New York City Local 1

In This Issue

EDITORIALS

293 •

ARTICLES

296 • Nixon Kicks a Hole in the Hiss Case

by FRED J. COOK

297 • Algeria: the Bloody Cease-Fire
by ALEXANDER WERTH

300 • Bobby and Jimmy: Round Six
by WALTER M. MILLER, Jr.

303 • International Peace Brigade
by BARBARA DEMING

306 • Wall Street: A Walk on the Wild Side
by GERALD KREFETZ

BOOKS AND THE ARTS

312 • At Odds with Gentility
by HAROLD CLURMAN

313 • Men of Crisis
by NORMAN RUDICH

314 • Second Impressions
by ROBERT M. WALLACE

315 • Letter from Seattle
by LINCOLN KIRSTEIN

316 • The Light (poem)
by CID CORMAN

319 • Art
by MAX KOZLOFF

Crossword Puzzle (opp. 320)
by FRANK W. LEWIS

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EDITORIALS

The Way of Democracy

The Supreme Court's decision in the Tennessee reapportionment case (*Baker v. Carr*) will have a major impact on American politics in the 1960s — but just when, in what areas and with what side effects, no one can say at this time. Of major interest at the moment is the process by which the Supreme Court was finally induced, despite its long-standing reluctance and Justice Felix Frankfurter's repeated warnings, to invade the "thicket" of reapportionment. The failure of state legislatures to reapportion has been a chronic shortcoming of the democratic process; it has been inveighed against by purists and theoreticians time out of mind. In an extremely influential study ("Devaluation of the Urban and Suburban Vote" by Paul T. David and Ralph Eisenberg, University of Virginia, 1961), the authors demonstrate that the value of the vote in the more urban counties of the nation has been decreasing consistently in every census since 1910.

In the past, however, the issue was not of lively concern to urban voters in more than eight or ten states at the most. But when the returns of the 1960 census were studied, it was found that shifts and growth of the population had combined to produce a national crisis in representation. What had previously been a problem of concern to only a few states, had now become a concern in every state, in one degree or another. Much the same process had preceded the Supreme Court's decision in the desegregation case in 1954. A democratic society will tolerate many problems of a nagging, marginal concern, even including shortcomings in the democratic process itself, until the majority's will to action is aroused. But once a problem reaches the requisite degree of maturity — let it finally become of concern to a national majority — and the breakthrough will take place, if not through elected representatives or the Executive then, as in this instance, through judicial intervention.

Another instructive point to note about the Court's decision in the Tennessee reapportionment case is that the critical initiative came not from groups with the largest stake in the issue — for example, the Demo-

cratic Party in the big states, or organized labor — but from alert, informed citizens who, to quote the familiar phrase, felt that the time had finally come "to do something about it." In this instance, the initiators were certain irate urbanites in Hawaii and Minnesota (see "America's 'Rotten Boroughs'" by Roscoe Fleming, *The Nation*, January 10, 1959), the public-spirited owners of Radio Station WMCA in New York City, Mr. James D. Nolan of Ohio, Mr. Jack Kirton of Bartlesville, Oklahoma and Professor Royce Hanson of the University of Maryland, as well as the eleven individual plaintiffs in *Baker v. Carr* who, as citizens of such Tennessee cities as Memphis, Knoxville, Chattanooga, Nashville and Montgomery, had finally lost patience with a scheme of apportionment which gave better representation to "the pigs of Moore County" than to urban residents. Only in Michigan has organized labor, for example, shown much interest in the problem. In this respect, too, the pattern is in the American grain: on deadlocked issues, the individual citizen, rather than the organized interest group, is most likely to set the democratic process in motion.

As with most democratic triumphs, this one is neither immediate nor complete. For example, it is possible to create districts of approximately equal voter strength, but yet to tailor them in such fashion that many of them will remain "safe" for one party or the other, one type of candidate as against other types, for a long period. But this, too, is a familiar consequence of our democratic procedures. The democratic instrument is blunt as well as cumbersome; when applied in necessary social surgery it does not cut away dead or rotten tissue with scientific precision or all at once. But slow and imperfect as the process may be, over the long haul it works. And in this instance, the corrections may come sooner than we think. The force most likely to speed up reapportionment is the threat of "elections at large," which federal courts might order in Congressional elections should state legislatures fail to reapportion with promptness. Already this nightmare is haunting politicians of both parties. Even so, reapportionment need only be "reasonable" (the Court's phrase) and what is reasonable is,

within limitations, a question of judgment. But this should not be discouraging; it is simply our way of proceeding. Like other democratic electorates, we tend to "transform" problems — to reduce them to manageable, endurable proportions — rather than to "solve" them. Only authoritarian states can "solve" problems — the wrong way, as often as not. In any case, each strengthening of the democratic process enhances society's capacity to cope with its problems so that the democratic tide gathers momentum as it moves along; authoritarian regimes tend to dissipate the energies they initially arouse.

The Politics of Disarmament

Cold-war protagonists are fond of predicting that the source of their prestige and incomes will last indefinitely. Those who work for disarmament must likewise be prepared for a struggle extending far into the future, in their case without emoluments or any reward except continuous life — and a good conscience. Their major role is to prevent the nuclear stalemate from exploding into a shooting war. In this respect, at least, they have been successful so far; they should be further encouraged by the fact that their ranks are growing apace. A few months ago, there was no peace movement in the United States, now there is one — still minor numerically, but large enough to impress practical politicians. The peace movement is, of course, virtually synonymous with the disarmament movement.

But quick results cannot be expected; all that can be expected is a stalemate with somewhat more margin of safety. The proceedings at Geneva show how intricately domestic and foreign politics are interlinked. There are built-in, formidable obstacles to a disarmament agreement. For economic reasons, these are stronger on our side than on the Soviets', but ardor for a disarmed world is not impressive on either side. Politically, there are two risks, either of which would be sufficient to keep the arms-industry managers from sleeplessness. There is the foreign-military risk of losing more in a disarmament program than the potential enemy loses; there is also the domestic-political risk of frightening the voters with the notion that the national security is endangered. People have been so thoroughly indoctrinated with the belief that armaments provide security that, no matter how often it is disproved, they still cling to it. After all, it is disproved only once or twice in a lifetime. The trouble is that if it is disproved again, there may be no one left around to appreciate the fact.

In one of the always useful pamphlets published by the Center for the Study of Democratic Institutions, this one titled "Science," the odds against disarmament are brought out by Hans Bethe, interviewed by Donald

McDonald. Bethe is certainly no theorist on the subject of armaments; he is one of the creators of the atomic bomb and an adviser to the President, with great personal prestige among both scientists and politicians. He was against a resumption of nuclear testing. His opposition was unavailing. He describes the situation in these words: "... The agencies that have the money for scientific research — and now I mean military-technological research — are precisely the agencies that want the maximum of military-technological development. This includes both the Armed Forces and Congressional committees. So, scientists who advocate development of weapons without restraint find a very ready public, while those who warn against the dangers of an unlimited arms race find a very hostile reception from many members of the Washington community."

"On all levels of the Washington community?" asked McDonald.

"No," Bethe replied. "This does not go for the leaders of government. It was not true of the leaders of the Eisenhower administration and it is not true of the present Administration. Things are all right generally at the high level, but they are very far from all right at the lower levels, and it is the lower levels generally that influence the public through the press."

The only conclusion that can be drawn is that until these lower levels are influenced by those who favor disarmament, an assured peace is a distant goal. The peace lovers face a long, arduous task. Goethe said that only those deserve freedom who every day win it anew. It is the same with peace.

Science and Politics

Another example of the difficulty of negotiating into existence anything that might interfere seriously with arms production is the current impasse on a nuclear-test-suspension agreement. A year or two ago there was a good possibility of success in this field. The Russians were then willing to allow a limited amount of international inspection on their soil. The United States insisted on a much more extensive inspection system. The negotiations broke down. Now the Russians will settle for nothing else but "national" inspection, i.e., each nation to monitor the other's tests on its own soil by seismography, electromagnetic and atmospheric effects, fallout, etc. And this is perfectly feasible. The tests underground, or in the vacuum of space, which might go undetected, would not involve nearly as much hazard as continued, unlimited testing, and by all indications would yield little information. A great power would hesitate to break a solemnly concluded agreement for trivial advantage.

Yet we are going to resume testing, and the Russians have already assured the world that they will follow

suit. The scientific developments have had no effect to speak of. Science is predominantly a tool of nationalistic passions. When C. P. Snow argues that scientists should play a larger role in government in our scientific-technological age, he may have a case, but the proposal would be feasible only if there were some psychological means of screening out those scientists who are as hostile to peace negotiations, test suspensions and the like as are the chauvinists of the veterans' organizations, for instance. "I can understand completely," says Hans Bethe in the "Science" interview cited above, "the confusion of the public when they hear Mr. Teller say we have only begun to develop nuclear weapons and they hear me say we are essentially at the end of that development and anything that comes from now on is not very important. How can they tell? It is impossible."

It is impossible *now* despite the fact that Defense Secretary McNamara (*Newsweek*, April 2) "believes U.S. superiority in atomic striking power can be maintained without further testing this spring." But it will not always be impossible. As the peace movement thrives, the scientists who are not wholly committed to the military establishment, even those scientists who have resolutely opposed the establishment on occasion, will be more respectfully heard. As the politicians follow the election returns, so even the most reckless of the mass media tend not only to make popular sentiment, but to follow it by whomsoever it is made. Bethe, Pauling, Watson-Watt, Morrison and a host of other enlightened scientists are not without influence, even today. They are a powerful minority in the scientific community. Most of the members do not know which way to turn, whether toward this group or the one led by Dr. Teller and his colleagues. One of the primary tasks of the peace movement is to encourage the friends of peace among the scientists to still greater efforts, and to amplify their influence in the mass media and the councils of government.

The Problem of Turnaround

The foreign policy of a great power, once established, is like an ocean liner ploughing at full speed through the water. Its heading cannot be changed suddenly. Ideas, too, have their inertia. "The difficulty lies," said Lord Keynes, "not in the new ideas, but in escaping from the old ones, which ramify . . . into every corner of our minds."

Such is the situation of the United States vis-à-vis Red China today. We are changing course, but the ship of state responds only slowly and reluctantly. Yet it does respond. A major harbinger is the release by the State Department of the 908-page volume, *Foreign Relations of the United States, 1943, China*. So long

ago, and yet the data is so vital today that the State Department, after printing the document in 1957, suppressed it for another five years. John Foster Dulles was very much alive in 1957 and, with him, lived the tenuous hope that Chiang Kai-shek would still return to China. Therefore Chiang must not be offended — in 1957. Instead, he is offended in 1962.

In 1957, also, Senator Joe McCarthy died, but his doctrine that Chiang had been betrayed by Communist sympathizers in the State Department was still strongly rooted. Now that malignant influence is waning — another reason why the State Department can afford to publish the truth. The truth is that, as General Joseph Stilwell told his superiors during the war, the Chiang regime was corrupt and impotent, and after the war the Communists needed no conspiratorial help from the State Department or anyone else. Stilwell's acid observations — he always referred to Chiang as "the Peanut" — were seconded by other conservative, experienced and responsible observers on the scene. Ambassador Clarence E. Gauss opposed lending Chiang \$1 billion because he was sure it would not be used to further the war effort. General Patrick J. Hurley was similarly pessimistic. John Paton Davies, then second Secretary of the Embassy in Chungking, urged that the United States should not commit itself unalterably to Chiang. Secretary Dulles, following McCarthy's lead, fired Davies in 1954, alleging lack of "judgment, discretion and reliability." Davies said he was willing to let history be his judge. Before the ship of state can change course, individuals as well as the nation's interests must suffer.

Newsweek (April 2) points out that the release at this juncture of *Foreign Relations of the United States, 1943, China*, can hardly be accidental or uncalculated. Everett F. Drumright, our Ambassador to Nationalist China and a diplomat with close ties to Chiang, had his resignation accepted two weeks before the book's release. Appointed by President Eisenhower, he had submitted his resignation routinely when President Kennedy took office; the acceptance, when it came, was so abrupt that there was no time to hold the customary farewell receptions. Assistant Secretary of State Averell Harriman was dispatched with equal celerity to break the news of publication to Chiang. Of course, in high diplomatic circles everybody denies everything, but the *China Post* complains: "Once again Chiang Kai-shek and many . . . leaders of the (National) Chinese Government were the targets of . . . smears." *Newsweek* speculates that the United States is "slowly moving toward acknowledgment of Communist China. . . ." China policy has been under review "on the highest levels" for several months, and the publication of the China papers may increase pressure "for a new go at an old problem." It is high time.

April 7, 1962

NIXON KICKS a HOLE in the HISS CASE

. . by Fred J. Cook

RICHARD M. NIXON has just kicked a large hole in his — and the government's — case against Alger Hiss.

In his new book, *Six Crises* (Doubleday), Nixon writes a statement in complete conflict with the Federal Bureau of Investigation's stoutly maintained version of the famous case and with the chain of evidence presented by the government in two trials and lengthy appeal arguments.

"On December 13 [1948]," Nixon writes, "FBI agents found the typewriter."

The reference is to an ancient Woodstock typewriter that was supposed to have belonged to the Hisses. It was called by the prosecution the "immutable" witness against Hiss. But an anomaly of the case, often and easily forgotten, is that this machine, used to establish Hiss's guilt, was found by *him* and brought into court by *him* — not by the government.

This fact became cardinal to the whole question of Hiss's guilt or innocence when Hiss, on appeal, raised the issue of forgery by typewriter.

Hiss had always denied passing any government documents to Communist spy Whittaker Chambers, but he had been unable to explain how Chambers had obtained documents that apparently had been typed on his old Woodstock. After his conviction, his lawyers had scientific experts examine the Woodstock they had produced in court and submitted detailed evidence indicating that the letters had been altered to match typing admittedly done on the original Hiss machine.

If this was so, almost certainly Hiss had been framed. Almost certainly, too, the Woodstock he had brought into court had been planted

where he would find it. A neat but vital legal point was involved: had the government found the machine and produced it in court, it would have had to prove its authenticity; but if Hiss found it and was duped into accepting it as his, the authenticity would be established. And throughout two trials, that is exactly what happened.

When, however, Hiss raised the forgery-by-typewriter issue on a motion for a new trial, the government countered with an affidavit from Earl J. Connelley, assistant director in charge of field operations for the FBI in the Hiss investigation. Connelley under oath averred that the FBI "does not have in its possession *and never did have* in its possession any typewriter known, believed, or considered to be the Woodstock machine" that had been owned by Hiss. (*Italics added.*)

AGAINST this flat declaration, assess the flat declaration that Richard Nixon, the chief Congressional prosecutor of Alger Hiss, has now made in *Six Crises*. Nixon is describing the desperation with which he fought for Hiss's indictment before the statute of limitations barring action expired on December 15, 1948. He writes (page 60):

On December 13, FBI agents found the typewriter. On that same day, I appeared before the Grand Jury with the microfilm [of a second set of documents produced by Chambers]. . . . On December 15, the critical last day, an expert from the FBI typed exact copies of the incriminating documents on the old Woodstock machine and had them flown up to New York as exhibits for members of the Grand Jury to see. . . .

Now what is one to make of this? Here is Nixon, who was on the inside of the Hiss case as much as J. Edgar Hoover, saying that the FBI found a typewriter it swore under oath it never found. Here is Nixon saying that the FBI used the typewriter it

never found to type duplicates of the supposed spy papers — a feat that insured the indictment of Hiss.

Hiss did not "find" the typewriter he thought was his until April 16, 1949, but here was the FBI, according to Nixon, typing documents on it months before that date.

TO ALL of this, I will add just one additional mysterious item. In researching *The Unfinished Story of Alger Hiss* (Morrow) in 1957, I came across a dispatch written by Tony Smith, of the Scripps-Howard Press Association in Washington. It was dated, significantly, December 13, 1948—four months *before* the Woodstock was "found." It said:

House investigators have found the typewriter they believe was used to copy the stolen government documents in the Hiss-Chambers case. Samples of the typing done on the machine are being compared by technical experts with State Department documents produced by ex-Communist Whittaker Chambers. The machine is said by Un-American Activities Committee aides to be the one formerly owned by Mrs. Alger Hiss. . . .

Note the perfect harmony between that long-forgotten news dispatch and the calm statement of fact now made by Nixon — the identical date of discovery, the identical test-typing procedure, the identical flat assertion that the government had the Hiss Woodstock.

At the very least, Richard Nixon seems to have offered Alger Hiss an opportunity to demand of the courts the release of the grand jury minutes that led to his indictment. Did the government submit to the grand jury samples of typing from a Woodstock it later denied it ever had — and so secure the indictment of Hiss? Or didn't it? Among the many mysterious aspects of this mysterious case, this is now the most mysterious. Not just the guilt or innocence of Alger Hiss, but the quality of American justice is at stake in this issue.

FRED J. COOK first wrote about the Hiss case in a special issue of *The Nation* published Sept. 21, 1957; the article was subsequently elaborated into a book, *The Unfinished Story of Alger Hiss* (Morrow, 1958).

ALGERIA: the Bloody Cease-Fire . . by Alexander Werth

Paris
GENERAL DE GAULLE has had a tremendous press outside France. Inside France, the announcement, on that historic Sunday, March 18, that the cease-fire had at last been signed at Evian, created at first a much more mixed reaction — if not downright anxiety. Here, the Champs-Élysées was almost deserted that night, since motorists had tired of being searched by the police for guns and plastic bombs, and the cinemas were strangely empty. The horrible explosion in a crowded street at Issy-les-Moulineaux only a week before, when three people were blown to pieces and nearly sixty injured, was still fresh in memory.

Even so, there is no doubt that de Gaulle's broadcast on that Sunday night made a favorable impression, on the whole, and created a strangely warm feeling that, in spite of terrible mistakes made in the past, he *was* doing his best, and that the cease-fire was, after all, the indispensable first step towards a new situation in which there was at least a chance of peace coming to the tragic land of Algeria. In his broadcast, de Gaulle flattered the sanity and common sense of the French people, and also paid a warm tribute to the Army, which had "firmly followed the path of duty, despite the nostalgia of some of its *cadres*, the subversion of some of its misguided chiefs and the appeals made to it by certain criminal adventurers." This was as much as he would say about the presence of "doubtful" elements in the Army, and about the activities of the OAS. But it was enough: everybody understood. As for the picture he drew of the harmonious coexistence of France and an independent Algeria, and of the two communities inside Algeria "marching fraternally together along the road of civilization," the general reaction tended to be: "Well, that's still in the lap of the gods; we can only wait and see."

ALEXANDER WERTH, The Nation's *European correspondent*, is the author of many books on France.

April 7, 1962

The blueprint of the Algeria to come that emerged from the Evian talks is something that, in most French minds, still belongs to a dim and nebulous future. No doubt, the statements made by the French Government concerning the future relations between France and an independent Algeria — complete with civil, political, economic, legal and cultural guarantees for the European minority, and the technical, financial and economic cooperation between the two countries — look good on paper, but what bothers the man in the street in France today are the next six months, before an independent Algeria actually becomes a reality; or, rather, the next few weeks, in which it should become clear whether or not the OAS has sufficient strength to sabotage the whole plan.

NO DOUBT, as *Le Monde* said on the day after the Evian Agreement, "better late than never"; nevertheless, the newspaper sharply criticized de Gaulle for pursuing, for nearly four years, an inconsistent and incoherent policy, and for giving the OAS more than enough time to organize itself into a powerful force. There was really no reason, it went on, why an agreement like the present one should not have been made a year, or two years, ago—when it could have "gone through" much more easily than now. For now the danger of the agreement's being sabotaged should not be underrated. There are the "Salan Instructions," dated February 23, which call upon the European population not for a *Putsch*, but to undermine authority through widespread violence and "provocations."

There is nothing new in the tactics called for, which have been the stock-in-trade of Algerian "activism" for years past. Paris observers think that the "instructions" betray some signs of weakness and uncertainty. It is true that in Oran particularly, the OAS has been in full control of the European parts of the city and that it has been raiding arms dumps with the obvious complicity of cer-

tain higher-ups. Yet the fact remains that government forces have managed, in large measure, to isolate Moslem parts of the city from European parts; that the Moslems have now organized their own self-defense units, and that the Algerian Government has been sensationally successful in preventing the Moslem population from allowing itself to be provoked into an uprising.

Now, a few days after the signing of the Evian Agreement, reports from Algiers suggest that a certain feeling of resignation is coming over a large number of Europeans, many of whom are beginning to think more in terms of adapting themselves to new conditions, either by emigrating to France or by waiting to see what things will look like in an Independent Algeria. After all, they will have three years in which to make up their minds.

Or is this wishful thinking? And is the OAS merely waiting for the day when the Provisional Executive, with M. Farès at its head, and M. Christian Fouchet as French High Commissioner during the transition period, starts work? The OAS will certainly do all it can to make things tough for them. Ultimately, however, everything may depend on whether the OAS receives any substantial and decisive support from the Army or not. Knowing that virtually the whole of France is in favor of the Evian Agreement, the Army may think twice.

IT IS still difficult to say what exactly Algeria will look like during the transition period of the next three to six months. The new High Commissioner, M. Christian Fouchet, and the Provisional Executive (consisting of twelve members of different nationalities appointed by the French Government) will have a hard job on their hands. The Provisional Executive will have at its disposal a "local force" of some 60,000 men, mostly Moslem gendarmes and police, under French command, to maintain order. It seems that, under this arrangement, the bulk of both the French Army and the whole of the Algerian

FLN Army will be, as it were, neutralized. Prisoners will be exchanged, and Algerian political prisoners will be released. The Algerians have also expressed the hope that the French would amnesty any Frenchmen charged with complicity with the "rebels." An immense job will be to disband the "regroupment camps" containing nearly two million Algerian civilians; it is said that these may now "go home" — but in many cases their homes and their means of subsistence have been destroyed. How all these people—mostly women and children — are to be housed and fed must constitute a vast organizational problem.

How order is to be maintained, particularly in cities like Algiers and Oran, will be another vast responsibility of the Provisional Executive, and many French observers doubt whether the "local force" of 60,000 will be sufficient for the purpose, and whether regular French Army units may not have to be called upon to supplement it. This inevitably also raises the question whether the plebiscite — to be held probably in July — will be much freer than were other elections and referenda in Algeria in the past. It is, however, assumed that there will not be any pressure on the voter for the simple reason that, whether or not most Europeans vote for maintaining Algeria as "part of France," the Moslem population will be instructed by the Algerian Government to vote for an "independent Algeria in cooperation with France." So there is no likelihood of many people voting for "independence through the breach of all links with France."

The whole structure of the future of Franco-Algerian relations is, indeed, based on the assumption that the Algerian people will vote for "cooperation." Only if Algeria votes this way will the guarantees given to the European minority hold good. These guarantees must be regarded as the Algerian contribution to "cooperation"; in return, the French will not only keep the French market open to Algerian exports, but will continue to subsidize Algeria's economy and allow Algerians to work in France as before. (Today about 500,000 Algerians work in France and, under demographic pressure, their

number is, if anything, likely to increase.) Algeria being an underdeveloped country, it is generally assumed here that it will desperately need the French market, French aid and investments, and an outlet for hundreds of thousands of her workers. The trouble with existing plans for Algerian-French economic cooperation, however, has been the extreme reluctance on the part of private French capital, especially during the last two years, to invest in Algeria. The Constantine plan of 1958 may need the help of American (or other non-French) capital.

THE Evian Agreement is calculated to keep Independent Algeria tied, economically, to France's apron strings. Whether it will remain so forever is not altogether certain. In a remarkable new book just published in Italy, *La Révolution Algérienne*, M. Francis Jeanson (who is under order of arrest in France for "complicity" with the FLN) argues that France is not necessarily Algeria's "automatic" partner. For one thing, France has no surplus of technicians for giving Algeria much technical aid, and Germany, Italy, Russia or the United States might well step in. There are also psychological obstacles in the way of a harmonious Franco-Algerian collaboration, after seven years of mutual massacres. Nor is France necessarily Algeria's No. 1 export market, the market for Algerian natural gas — probably the country's biggest asset — being *Europe as a whole*, rather than France alone. The same also partly applies to her oil. Jeanson also quotes countless official Algerian utterances to show that land reform, complete with the establishment of a planned and Socialist or near-Socialist economy, is uppermost in the minds of the present Algerian leaders, who are far from seeing a panacea in giving top priority to industrialization. But under the Evian Agreement, French property in Algeria is sacred, and the confiscation of the vast landed estates belonging to the big *colons* and to French companies is out of the question; these can only be bought up by the Algerian state, and obviously only with French financial help, after a "fair price" has been mutually agreed upon. That all this



Mansbridge: Sunday Times

"I see no cease-fire signal!"

land was, as the Algerians say, originally "stolen" from them is neither here nor there. A tricky question for the Algerian Government to decide, once the land reform has been accomplished (if it is), is whether to keep thousands of acres of the best land under vines; with the wine no longer being sold by the powerful *colons*, with their Paris lobbies, it is doubtful whether France will any longer want all this wine. Anticipating something like the Evian Agreement, Jeanson argues that the de Gaulle regime, and the financial interests behind it, reluctantly decided to "grant Algeria political independence, but to maintain her economic dependence on France."

THIS is, indeed, the obvious aim of the Evian Agreement, which maintains Algeria in the franc zone, gives France all kinds of economic priorities in the country and makes land reform virtually dependent on French consent. True, the agreement promises Algeria economic aid, but the scope, nature and duration of this aid will largely be determined by the French themselves. ("If you treat the Europeans well, well and good, if not—") On the other hand, the maintenance of the French labor market for hundreds of thousands of Algerian workers was, obviously, something with which the Algerian leaders had to reckon — at least at this stage. Whether, eventually, Algeria will find other markets for her surplus labor, or whether (as Jeanson suggests) an agrarian reform (or rather, revolution) will be followed (but not preceded) by large-scale industrialization is still very hard to say. But it is certain that a very large proportion of the Algerian leaders — whose high degree of competence, and whose authority with the Al-

gerian masses, are not in doubt — will not be satisfied for very long with that “neo-colonialist” status implied by the Evian Agreement.

That sooner or later there will be a clash between the “reformists” and the “revolutionaries” among the Algerian leaders is, of course, more or less inevitable. Already there are some conflicting views on the exact forms the agrarian revolution is to take, and on whether to embark on vast land-improvement schemes by “Chinese” pick-and-shovel methods which would employ hundreds of thousands. But this is still in the future, and, for the present, Algeria is in an increasingly chaotic state, with the OAS attempting to render any transfer of powers to the Algerian Government impossible. It amounts to a battle between de Gaulle and the OAS, and, of course, between the OAS and the FLN. Hence the syllogism produced by an irate *ultra* member of the National Assembly on March 20 that de Gaulle is “an FLN man.” What in practice this “collusion” amounts to is, for instance, the open cooperation between the FLN’s *service d’ordre* and the French gendarmes at Algiers after the OAS had shelled, on March 20, a crowded street in the Casbah, killing twenty and wounding eighty Moslem women and children. All this was in the hope of provoking the Moslem community to invade the European quarters, and to force the French Army to join in the bloodbath on the side of the Europeans. Such cooperation is new, and very promising.

DE GAULLE decided, the moment the Evian Agreement was signed, to cash in on it, both in order to consolidate his own prestige and to strengthen his Fifth Republic. In his broadcast announcing the cease-fire, he made it clear that he would expect France very soon to say openly “Thank you” to him. So there is to be a referendum on April 8, in which the French electorate will be asked to approve a bill concerning “the agreements to be concluded and the measures to be taken in respect of Algeria on the basis of the Government statements of March 19 [concerning the cease-fire].” According to the bill, the Gov-

ernment will be empowered to make any agreements it thinks fit in accordance with the above statements, “if the Algerian populations decide in favor of an Independent State cooperating with France.” But then comes the snag: The second article of the bill says that, pending the setting up of the new Algerian administration, “the President of the Republic can, by means of ordinances or decrees adopted by the Council of Ministers, take any legislative and administrative measures relating to the application of the Government statements of March 19” (i.e., the Evian Agreement).

Were these exceptional powers really necessary? At the National Assembly on March 20, even among those who had wholeheartedly welcomed the cease-fire, there was a great deal of criticism of de Gaulle’s demand for still more powers. It was argued that he could, in a pinch, have resorted to Article 16 of the Constitution on the ground that the OAS was, after all, “gravely endangering the institutions of the Republic”; but apparently de Gaulle preferred his new method, if only because, while Article 16 was in force, the National Assembly could *not* be dissolved. In this respect de Gaulle intends to leave himself a completely free hand, and to call for a General Election whenever he sees fit. He intends to go ahead with his exceptional powers, even though the *Conseil d’Etat* (the highest juridical authority in France) did not consider, by a large majority, this Article 2 to be strictly constitutional.

Perhaps the public’s attitude to all this is well reflected in the satirical weekly, *Le Canard Enchaîné*:

Three weeks after Evian, the good people of France will be called upon to say YES not only to peace in Algeria — which, heaven knows, is fine — but also YES to the Fifth Republic, and even to an aggravated version of same.... We don’t much care for this. For we shall be asked to submit absolutely to the whims of the most absolute and most capricious of Monarchs France has known since Louis XIV. It means we shall be expected to say YES to Michel Debré and to that incredible team of political adventurers nestling

in the shadow of the great man, to the omnipresent police and the all-powerful Army, and to a legless and armless Parliament.... This blessed peace in Algeria will cost us a hell of a price.

But although, at the back of his mind, the man in the street does think all this, it is still highly probable that de Gaulle will have a large majority in the referendum once again; all government propaganda will go out of its way to make the most of the “peace in Algeria” and play down the “exceptional powers” as being part of the agreement.

ON TOP OF THE referendum there may be a General Election. M. Debré is all in favor of it, and so is M. Chaban Delmas, the President of the National Assembly, who already fancies himself Debré’s successor. Their argument is that the sooner the election takes place, the more will it be affected by the “gratitude-for-Evian” reflex; and the official “Gaullist” party will reap the benefit of it, despite its “*Algérie Française*” past. De Gaulle’s prestige is high after Evian, belated as the agreement may seem to some; but there is a widespread feeling that there is “something” seriously wrong with the regime, with all the obscure machinations going on behind it. So some in the regime hold that an election will not necessarily turn out well for the “Gaullist” party. By-elections have shown a marked tendency of the Left (often including the Communists) to gang up against the “Gaullists,” while Evian has produced a chorus of “that’s what we all recommended years ago” from all the “republican” parties — Communists, Socialists, MRP and Radicals.

Be that as it may, France has some very hard and restless months ahead. One guess is that, with de Gaulle liking to blow hot-and-cold, he may try to appease those most hostile to his “exceptional powers” by replacing the universally disliked Michel Debré by Louis Joxe, who not only has a fine liberal record and reputation but who, as the man who negotiated the Evian settlement, is literally the only man in de Gaulle’s entourage enjoying nation-wide respect and popularity.

BOBBY and JIMMY: Round Six . . by Walter M. Miller, Jr.

Orlando, Fla.

THE DAPPER MAN in the brown serge suit sat just inside the satin rope that divided the fluorescent-flooded room into its two parts: the proper arena of the law, forward, and the court of the gentiles aft. He had come here to fight, eventually, but his time was not yet; so he covered his face with Slavic inscrutability and sleepily watched the hostile game being played by the men at the friendly table on the left against the men at the table of the enemy on the right. He himself was the prize of the game, the small, shiny ball that the enemy must jiggle past the obstacles and sink in the hole marked JAIL at the end of the maze. It was all very tiresome to him, his manner seemed to say. Occasionally he sucked at a tooth or absently twisted the skin of his cheek when the progress of the game became sluggish; obviously he was thinking of things he would rather be doing elsewhere, things more important to the pattern of his life than facing up to a mail-fraud indictment.

One of his attorneys was shouting: "Your Honor, I move for dismissal! The government cannot prosecute and at the same time claim executive privilege."

The prosecuting attorney, who had headed back toward his table, gasped sharply and whirled to face the court again, shouting in turn: "You can sure think up a lot of things. That is a complete distortion of my meaning. Your Honor. Nobody is claiming privilege here, and this sort of insidious distortion. . . ."

Jimmy Hoffa ignored the melee and rummaged in his pocket for a letter or a legal paper. His bankroll got in the way of his search, and he took it out of his pocket to make room for his fingers. Then he sat reading while the brief brouhaha subsided.

Hoffa's presence at these hearings was entirely superfluous, and was by no means required by the court,

WALTER M. MILLER, Jr., novelist and short-story writer, is the author of *A Canticle for Leibowitz* (Lippincott, 1959).

which had convened solely for the purpose of hearing and considering motions by the defense and counter-motions by the government before setting a trial date or dismissing the indictment. [Hoffa and an associate are charged with misusing union funds in a real-estate deal involving the construction of retirement homes for union members at Sun Valley. — Ed.] Nevertheless, the Teamster tribune was there every day, with nothing to say and nothing to do but kibitz the game and listen to the chatter of its players. Plainly his presence was prompted by publicity men, although it was quite in character for him to come, and he thereby became the silent focus of the courtroom.

"When is the other defendant coming down?" I asked one of Hoffa's lawyers.

"McCarthy? He skipped the country, I think," Jacob Kossman told me. "He's gone back to Ireland."

There were six attorneys at the defense table, but Kossman, the archetypal Philadelphia Lawyer, was the one who most frequently took the floor to badger his own witnesses (frequently unfriendly) and to needle the prosecution whenever he could find a way. Trial lawyers belong to that vanishing tribe of Americans who still take great delight in their work, and Kossman is certainly no exception. A barrister of impressive bulk, all fat, he plainly relishes the litigious fray.

HIS TASK, during the mid-March hearings, was to prove three main contentions in support of motions to change the venue and to dismiss the indictment. The contentions are:

1. That the government's case against Hoffa is based on evidence directly or indirectly obtained by wire taps.

2. That the grand jury which indicted Hoffa for the second time was selected by a method which favored the inclusion of the bourgeoisie and the exclusion of the proletariat. (Or, in Kossman's words: "Negroes and trade-union members were systematically excluded.")

3. That south and central Florida

newspapers have so saturated the Orlando area with editorial tirades against Hoffa that a poisoned atmosphere results and militates against the chance of a fair trial in this district.

TO OBTAIN testimony supporting the first contention (wire tapping) was the purpose of subpoenas which the defense had served on Senator McClellan, Attorney General Robert Kennedy, ex-Attorney General Rogers, and other prominent consuls and praetors of the Republic. Most of these subpoenas, which seemed to promise a star-studded hearing, were mercilessly quashed, and only after much protesting were Rogers and Malcolm R. Wilkey, former Assistant Attorney General, summoned to testify. The McClellan Committee had once played back to Hoffa one of his telephone conversations in order to refresh his memory, and hinted that it could supply more "refreshers" if necessary. While it may be intuitively obvious that all the McClellan Committee material was made available to, and was made use of by, the Justice Department, the burden of proving it was on the defense, and the attempt at proving it was seriously crippled by the absence of McClellan, Kennedy, et al. "We can't cross-question their affidavits, Your Honor," Kossman bumbled unhappily. Neither could he cross-question Rogers and Wilkey, who were there as, technically, defense witnesses — cross-examination being the privilege of the side against whom the witness is supposedly testifying — and under direct examination, Rogers and Wilkey seemed both forgetful and vague.

In support of the second contention (improper grand jury selection), Kossman exacted testimony from Jury Commissioner Phillips and witnesses from his department. Here again, witnesses "for" the defense were not especially anxious to help the defense prove its case, and the methods of cross-examination were not permitted. Nevertheless, a picture emerged. Names for the box from which the jury was drawn were obtained by a method which, I sup-

pose, was calculated to minimize the number of later disqualifications. It was a method which was also likely, incidentally perhaps, to minimize the number of *descamisados*, peons, plebs, Negroes—and possibly truck drivers—called for jury duty. It was likely to produce, and it did produce, a rather disproportionately large number of prospective jurors who were merchants, small businessmen, white-collar workers and the like: men not likely to feel much sympathy for Hoffa. But it seems to me, as one unschooled in the law, that it would take an unusually progressive and class-conscious court to see anything worse in this than a case of Hoffa's *bad luck*, since the bias in favor of such a jury was not a conscious one, but only a mechanical and probabalistic thing.

More thoroughly supported by detailed evidence was the third contention, that the Orlando area has been saturated with more or less officially inspired anti-Hoffa propaganda. Bushels of newspapers were placed in evidence, and more bushels were promised, while prosecuting attorney James Dowd objected and objected and objected again that all this was wholly irrelevant.

Dowd is a slender, balding attorney with a freshly scrubbed look, birdlike mannerisms and an Ivy League cut to his clothes. Passionately convinced of Good and Evil, he is fond of the words *scandalous*, *insidious*, *diabolical*, *uncouth*, and he used them frequently as modifiers when speaking to the court about Kossman's tactics (or "Kossman's buffoonery," as he preferred to say). At these hearings, besides his attempts to confound and refute Jacob Kossman, his chief aim was simply to insure the setting of a trial date.

At the time of this writing, no date has been set.

DOWD had been assigned by the Justice Department as early as 1959 to the investigation of the Sun Valley case, a fact which Kossman managed to use to some small advantage. After the majority of the All-Star Subpoenas had been quashed, and after Kossman's interrogation of Rogers and Wilkey had failed to produce any glaring indications of the use of wire-tap evidence, De-

fense Attorney Kossman, while Prosecuting Attorney Dowd was eating lunch on March 13, had him served with an extra course: a subpoena requiring him to appear as a witness for the defense to testify about wire taps, if any, during the Sun Valley investigation.

Dowd, plainly outraged, rushed back into court to move that the subpoena be quashed. While three government attorneys were on their feet trying to talk at the same time, Kossman sat and chortled triumphantly at the audience and enjoyed the spectacle of Dowd claiming that he was being brutalized. Judge Lieb declined to quash. The prosecutor was forced to the stand as Kossman's witness. When the shouting subsided, nothing had been accomplished but the ruffling of Dowd's plumage. But Kossman sat happily licking away the yellow feathers.

At the third corner of the triangle of forces which stretched and quivered and tugged at itself for three days in Orlando was Judge Joseph Lieb, a grandfatherly gentleman of great glandular charm and much tact, capable of appearing fascinated even by an interminable recital of newspaper circulation statistics. Although he quashed the All-Star Subpoenas, he was meticulously fair to the defense in small matters, and tolerant — within limits — of Kossman's minor aberrations from the rules of the game. It is difficult to

imagine the genial Lieb sending a culprit to the chopping block. While the odds are that he has done so, the memory of it has obviously spoiled neither his appetite nor his equanimity. Early in April, perhaps by the time this appears, he will attempt to resolve the triangle of forces into a single direction: a trial, a dismissal, or a change of venue.

THIS IS, of course, only one of many actions brought against the Teamsters' leadership throughout the country since this Administration came into office.

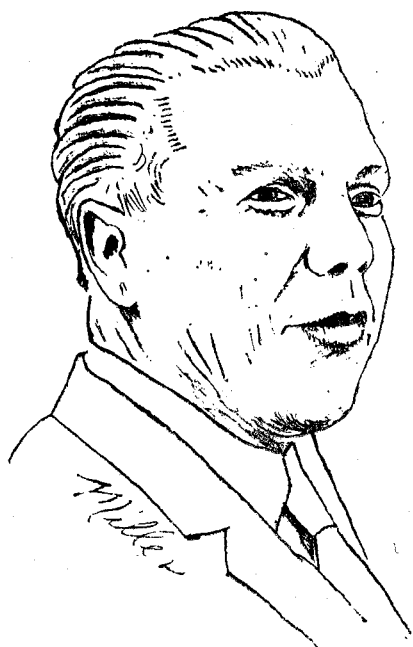
"I'm not satisfied when I see men like Jimmy Hoffa, head of the largest labor union in the United States, still free!" said John F. Kennedy, speaking to sixty or eighty million Americans who watched his TV debates with Nixon in the fall of 1960.

Surely there were other men — syndicate kingpins, vice lords, narcotics magnates, sadist judges, wealthy perverts, bought officials, cutthroat tycoons and sundry mako sharks of management — whose continued freedom also dismayed the candidate. But before the biggest political audience in American history, Kennedy chose to single out Hoffa as his Horrible Example, and Kennedy is a judicious man. [*Ruffles & Flourishes*, then *Hail to the Chief*.] He also presides over the Republic of which even Jimmy Hoffa is presumably a citizen.

Surely no one would question candidate Kennedy's right to presume Hoffa's guilt or his right as a citizen to say so to eighty million Americans, some of whom may have the opportunity to sit on the jury if Hoffa is brought to trial. And it would be patently silly to expect either the Constitution or the courts to protect a man against the plain bad luck of having a powerful enemy who gets himself elected President. Bad luck is the business of the gods, not the courts.

But the effect of such officially inspired propaganda is this: On the streets, you can find ten men with a strong opinion about what should be done to Jimmy Hoffa for every man who can tell you what Hoffa is alleged to have done.

"I don't see any difference between Hoffa and Al Capone," a voice mut-



Jimmy Hoffa

April 7, 1962

tered in my ear during a dull moment in the Orlando hearings. "I hope they put him *under* the jail."

Startled, I looked around. The man wore greasy work-pants and a zippered jacket with a postal badge at his belt, a fellow with whom I had previously exchanged the time of day. He might have been a post-office employee come up from downstairs to get away from a job for a while. Or he might have been Minos or Rhadamanthos come up from Tartarus to judge the living. I'll call him Minos, for the lack of a name. Hoffa was sitting within arm's reach of us and could easily have heard the remark, but he did not look around. I answered Minos' gratuitous gambit with a noncommittal shrug and a meaningless smile and looked the other way. He sat there with his unasked opinion hanging out. Soon he was inching westward along the bench. Ten minutes later we were sitting four feet apart, although I hadn't moved. This must be a Hoffa man, Minos was thinking, or maybe a relative.

SOMETIME during the next two hours, Minos had second thoughts. When two new spectators slid into their seats and forced him to move eastward again, he began tucking in his dangling opinion. "I don't know why I said that a while ago," he told me. "I don't know anything about the man, except what the newspapers want me to believe. I know a couple of truck drivers and they're all for him; but you ask *them* about him, they'll just tell you how Hoffa got them a raise. So? Kennedy vetoed my raise; I should be sore at Kennedy."

"I thought that was Ike."

"Kennedy," said Minos. "Anyway, I just know what the newspapers say, and maybe that's just what they want me to believe. Maybe Hoffa's okay. For all I know, maybe that fellow Mao in China is okay. I only know what the newspapers want me to know, or want me to think I know." He was very gloomy about it.

Judge Lieb called a fifteen-minute recess. Hoffa shook hands with one of his attorneys and left for the afternoon. Kossman and another lawyer sat where he had been sitting

and talked over their next move in muted voices. The room was nearly empty.

"This proves that ——— was conclusively lying," Kossman whispered fiercely.

"*Sshhhh!*" cautioned the other attorney, and they both looked around to see what proximate objects had ears.

There sat Minos and I, a few feet away, one cleaning his nails, the other jotting notes in a little green book.

"—————" was a prominent public figure. The attorneys lowered their voices, but Kossman kept glancing at us over his shoulder. When they had finished their discussion, he turned around with a grin and pointed:

"There sit two government agents if I ever saw one," he told his associate. "Look at the way they're dressed: baggy pants and a drip-dry shirt. . . . (This was me.) Trying to look like spectators." He heaved his bulk over two seats in our direction and sat in front of us. "I've been thinking about having you G-men moved to the back of the court where you can't hear what I say to Jimmy. I may talk to the judge and have the first row cleared."

"You're good at talking," said Minos with surprising belligerence.

"Well, we can't have the prosecution hearing everything we say. What are you guys after Jimmy for? Hasn't he got enough trouble now?"

"Maybe. What kind of a guy is he?"

"You want to know what Jimmy's like? I'll tell you. He doesn't drink, he doesn't smoke, he doesn't screw around with girls. I don't mean he's a religious man; he isn't. But you know anybody who doesn't drink, doesn't smoke, and doesn't screw around with girls?"

"Not intimately, no," I admitted.

"You mean he's just a family man?" asked Minos.

"That's it. Abstemious. A little bowl of rice for breakfast, some fruit for lunch. Then maybe for dinner he'll eat a little piece of meat. 'That's not living,' I tell him. 'Jimmy, you might as well be in jail already, living like that.'" Kossman patted his paunch absently and sighed. "You know what Jimmy says? Jimmy says,

'I got my men a five-cent raise today, Jake.' There. That's just the way he answered me. There's his pleasure; I don't understand it myself, but there it is. Now why are you fellows out to get a man like that? Can you tell me?"

Shrugs and silence. Kossman continued:

"I'll tell you something else about Jimmy, something that most people have got all wrong. Money. Money doesn't mean a thing to Jimmy. He doesn't know what it's for. Like — What's he get from the Teamsters? Maybe ten grand — he has trouble raising twenty-five grand of his own. Gives it away, like to a truck driver with a sick wife. You go to him tomorrow when he gets back, you say, 'Jimmy, my wife's sick.' You'll see. That's the way he is.

"You know, he was going to take out an ad in the newspapers and offer \$100,000 reward for evidence that would prove wire tapping. You know, maybe from some ex-FBI agents willing to talk. Money means nothing to Jimmy. Then, there's this Sun Valley thing — Do you know about the Sun Valley deal?"

"Not much," I said. "I'd like to hear the other side."

"It was the third guy who got away with the money, but nobody got defrauded." Kossman left it at that. "Usually, we get guys mixed up with things like narcotics, or vice, the rackets and so forth. But Jimmy's clean, and there's nothing like *that* at all. It's just this Sun Valley thing, they're after him for, and if only we could keep him quiet! I tell him, 'Jimmy, you'll talk your way right into jail if you don't stop it.' But he keeps them steamed up with talk: 'Bobby Kennedy this, Bobby Kennedy that, Bobby Kennedy that, Bobby Bobby Bobby Bobby.'" He waggled his head sadly and sighed.

A FEW days later, while the hearings were adjourned for two weeks, an AP story from Washington quoted Hoffa as saying: "There is no question the government is spending millions of dollars of the taxpayers' money to satisfy Bobby's vendetta." I thought of Kossman's sad sigh.

Hoffa's casually defiant public posture, including his performance before the McClellan Committee and

The NATION

the sporadic duel with "Bobby," may not have sealed his fate, but has probably forfeited any reasonable hope of leading a life free from litigation and harassment even if he should win a dismissal of the Orlando indictment from Judge Lieb or an acquittal from a jury. The dark clouds of consular and praetorial wrath have gathered over him and

developed an anvil-shaped head. The pillar flutters with light. He has talked back to his betters. He has faced them and neatly sidestepped their attacks so often and with such a show of moxie that their praetorial virility has been placed in doubt. If the Orlando litigation leads to nothing, the praetors will certainly find another way. To tag this fox is now

a politically necessary proof of prowess. A definitive and final failure by a Kennedy to bag a Hoffa would be as mortifying a show of impotence as a public cuckolding, and Robert Kennedy's virility is something he wants the world to be sure about. And "the leader of the largest labor union in the United States" is, for the nonce, "still free."

International Peace Brigade . . by Barbara Deming

"NOTHING could be more fantastic than the group of us sitting here," an American delegate remarked at one point. The same thought had occurred to me at various moments of this international conference that I attended just after Christmas in the hill town of Brummana, outside Beirut, Lebanon. The conference had been called to establish a World Peace Brigade for Nonviolent Action, and to plan its initial projects.

At the moment when the American spoke, a working group of about a dozen of the fifty-five delegates—several Americans, two Englishmen, an Indian, a Frenchman, two Germans, an Ethiopian, a Lebanese, an Italian (if I recall correctly) —were bent over a map of Africa, weighing the possibilities of a trek by an international team into some part of Black Africa to set up a non-violent training center there, and to assist the African leaders in their struggle for self-determination. The structure of the projected World Peace Brigade was not yet fully determined; its officers had still to be named (though one could begin to guess who they were likely to be); no money had yet been raised; one of the Indians had convinced the conference that a thousand volunteers must be called for in the first year, but the call had yet to go out. (However, a certain Harry Purvis, an American, had cabled to volunteer without waiting for the call.) The

new organization was still just fifty-five people from thirteen countries gathered in a Quaker school that had been left vacant for the holidays, many of them huddled in their overcoats in the unheated rooms, sneezing and coughing—these fifty-five people and the one volunteer. Yet here they sat, confronting in imagination the vested interests of a third of a continent, the combined forces of Verwoerd, Welensky and others—whose power they knew well enough, as some of them had come up against it already (held, in fact, the honorable degree of "prohibited immigrant"). Here they sat, counting as resources only their frail selves.

On another day—and late into the night—a similar working group sat about a long table, planning the other initial project: a world-wide day of simultaneous demonstrations against preparations for war; sat weighing what action by an international team should provide the dramatic focus of the day. Should they send another ship into the bomb-test area, in the tradition of *The Golden Rule*—but this time make it a larger ship? Or could some vivid gesture be made, perhaps, at the Berlin wall? Or at Geneva, while the disarmament conference is under way there? With what act could they most dramatically confront and challenge the archaic yet increasingly gigantic institution of war itself?

There were some at the conference who obviously wondered whether the first steps of the as yet non-existent brigade should not be more modest. The delegates from West Germany

kept raising this question. The American I quoted (Robert Gilmore) was giving his answer to this. He was connected with the Committee for Nonviolent Action. When the decision was made about *The Golden Rule*, he recalled, there was no ship, no money to buy one, and no one was very clear yet as to the problems that would be involved. The Walk to Moscow had looked to most people just as unsound. "It applies to almost anything we've done. Everyone is always opposed at the start—and rightly so, because the whole thing is impossible. You have to determine to do the thing regardless of difficulties. If it turns out that you can't, that's another matter; but then in the process of experimentation, some other project will emerge."

I was struck by the fact that those in the conference who pleaded for caution were not the older, experienced pacifists, but always the younger ones—or the ones from countries where the nonviolent movement itself was young. The veterans of the movement concentrated not on the paralyzing question: is it possible? but on the question: is it necessary?—their faith, obviously, that necessity is the mother of invention. It was a man in his seventies—an Indian, G. Ramachandran—who appealed to the conference on the opening day: "Let's not be sober any more, say we are wise men any more. Away with shrinking wisdom. The forces of evil are incalculable. We must act rashly and recklessly." Ramachandran is a veteran of many of Gandhi's campaigns—a man immensely self-contained and disci-

BARBARA DEMING has contributed frequently to The Nation on various aspects of the peace movement.

April 7, 1962

plined. Another of the gravest and most experienced men present—the Anglican minister, Michael Scott, a leader in the British Committee of 100—declared in his opening address: “It is a vast problem and we are a very small insignificant body trying to face it, but if we don’t face it in all its immensity and complications, we shan’t be facing the problem at all.”

THESE words could well be said to sum up the sense of necessity that had brought most of these fifty-five people thousands of miles to meet. It was clear that, in most instances, the apparatus of war or of oppression each had been struggling in his own country to oppose, straddled continents. To try any longer to wrestle with it simply in the one spot was senseless. The military had combined before them; so had certain economic interests—such as those which, dependent on cheap labor, hoped to block any further movement for self-determination in Africa. It was clear, too, that if the spirit necessary to gain both peace and an increase of justice was a spirit of deeper loyalty to all men, simply as men, to call forth this spirit in others it was doubly necessary to act in concert with one another.

There had been motions in this direction before now. The Walk to Moscow [see “San Francisco to Moscow: Why They Walk,” by Barbara Deming, *The Nation*, July 15, 1961] had involved people from different countries. So had the protest two years before against the French tests in the Sahara. But what was needed clearly was some form of permanent association. A corps was needed, drawn from various interested countries—“Ramachandran’s thousand” they began to be called, as he was insistent upon that number for the first year. They were people working usually in their own localities, but ready at a call to go anywhere in the world. “By third-class travel arrangements,” Ramachandran added.

The concept of a nonviolent army recruited from all the world was originally Gandhi’s; he had called a conference to discuss bringing one into being, shortly before his assassination in 1948. The conference had been held finally without him in

1949, and several of those at Beirut had been present. A corresponding committee had been set up to pursue the idea, but “things just petered out,” A. J. Muste relates. But a year ago, at the War Resisters International Triennial, held in India, the idea had been revived suddenly with vigor. Jayaprakash Narayan (often spoken of as a possible successor to Nehru, and who will be one of the brigade’s three co-chairmen, with Michael Scott and A. J. Muste) made the first proposal. Ramachandran, who hadn’t known what Narayan had been planning to say, followed with a strong speech to the same effect. Michael Scott flew in late for the conference and made much the same proposal, without knowing what had been said by the earlier speakers.

THREE men especially brought to Beirut a sense of urgency about setting up the new brigade: Ramachandran of India, Michael Scott of England and A. J. Muste of the United States. Ramachandran declared quite simply: “If something does not happen as a result of this conference, if nonviolence does not strike a blow at some point in the coming year that will resound throughout the world, we’ll be too late.” For Ramachandran, as for all five of the delegates from India, India’s action in Goa had come as a profound shock. None of the Indians blamed Nehru—who, as they said, never had been a thorough Gandhian; the hypocrisy of Western censure of him was obvious; no government in the world had as yet forsworn the use of force, and if force were ever justified, it had been justified in this instance. But they did blame themselves, because they had let this action take them by surprise. After Indian independence, Gandhi’s most serious followers had turned their attention to the movement Vinoba Bhave headed, which seeks reconstruction of village life, and begins by persuading landowners to give some of their lands to those who own none. Concentrated as they had been, they had failed to protest their government’s military establishment. “I have not the slightest doubt,” said Ramachandran, “that if Vinoba had issued a call in India,

as soon as he heard that Goa was going to take place: ‘I want 10,000 and I will march into Goa, hands folded’—to attempt to take it without the use of force—he would have got five times that number.” He quoted Narayan: “Only fourteen years ago . . . we liberated most of our country without taking arms against the foreign ruler. Now, when we are immeasurably stronger and the forces of history, too, are even more favorable, we have failed to find nonviolent means to free a tiny part of our Motherland.” Now India’s ability to speak peace had been gravely damaged; and it was suddenly acutely clear to Ramachandran that they must be a great deal more alert and more flexible; it was not enough to attack one limb of an evil that had life in many limbs.

IF GOA gave stress to Ramachandran’s call for action, events in Africa gave stress to the words of Michael Scott. Scott, as well as being one of the leaders of the Committee of 100, is also head of the Africa Bureau in London, and has represented the interests of the Herero tribe of South West Africa at the U.N. for the past fifteen years. His efforts to help them recover the lands that have been stolen from them there have brought him exile from South West Africa—and the widespread trust of black Africans throughout the continent. A few years ago, he reported (and others at the conference confirmed his words) interest among Africans in nonviolent methods had been intense, but that interest was wavering, and leaders like Kenneth Kaunda, who still held to it, were in danger of losing their followings; the opposition of white minorities to the freedom movement had grown so successful. Training in sabotage and terrorism was beginning, and unless within the very next few months the brigade could revive the Africans’ faith in nonviolence by sparking some bold new initiative, a really bloody explosion in central and southern Africa seemed inevitable—an explosion that could well set off world conflict. Scott was particularly concerned with the inordinate power exercised in London—as in other capitals—by lobbies for commercial and industrial interests seek-

ing to retain their privileges in Africa. When it came to foreign-policy decisions, his government, for one, seemed more susceptible to their pressure than to the wishes of Parliament itself. All agreed that no initiative in Africa could be limited to action on that continent alone; world-wide action was necessary.

A. J. Muste, the seventy-seven-year-old American pacifist leader, laid stress on the frightening dynamism that lay simply in preparations for modern war. He had, he said, felt the threat of war to be more real and more near, in recent months, than at any former time. The huge instrumentality of violence which both sides in the cold war had constructed continued to develop in size and in complexity, and at this point neither the Soviet Union nor the United States, neither Khrushchev nor Kennedy, nor anybody else was in control of that machine, but all were ridden by it. To release men everywhere from this helplessness—to make another way visible—the most persistent and concerted action would be necessary.

IF THE delegates to Beirut arrived with a common sense of urgency about setting up an organization that would make concerted action possible, they arrived too, of course, with varying thoughts as to what the nature of that organization should be—or more particularly, with varying sets of anxieties as to what it should not be.

The most general concern expressed was lest the actions of the brigade be “negative” and “shallow,” be “all protest.” The emphasis, many rose to insist, must be on reconciliation; the brigade must embody a spirit of service. An element of timidity was perhaps involved among those who belonged to small pacifist movements, and came from countries—like Germany—where there was little tradition as yet of challenging the authorities; but the concern went deeper than this in all instances. The group which expressed it included the far-from-timid French worker priest, Abbé Pierre, who in his work with the dispossessed has many times shaken governments out of their sleep. There was concern lest the call for volunteers attract above all those

simply looking for adventure, for rebellious and mindless action. The anti-war movement had not been entirely without such recruits.

This anxiety was quieted in part when everyone agreed that the brigade must be composed of people who had already proved themselves in local actions. A. J. Muste helped to dissolve the apparent quarrel here between those who feared negative action and those who, on the other hand, feared the brigade might take action that was too mild. There was talk, Muste said, of protest as against love and service, service as against protest. He would like to make the point that in the South, those actively protesting segregation, even though there was by no means always the spirit of love in their activities, were nevertheless not only liberating themselves, but liberating Southern society. In the same way, those who worked to destroy the institution of war were working for the liberation of all—including the military. It was unreal to speak of such protest as negative. The truth was that to try to make protest against war the common task of *all* of us was one of the ways in which a tremendous reconciliation might be going on in the world. The Indians added their weight to this view. (It should be noted that delegates from Communist countries were invited to the conference and although none came, several sent messages of good will. They will receive reports of all that was decided there.)

IF SOME at the conference were concerned lest a spirit of reconciliation be absent from the brigade's actions, some were worried lest it take action conciliatory in a superficial sense. The most vocal of these was Michael Randle, the young secretary of the British Committee of 100—who has recently been sentenced to eighteen months for his role in the December 9 demonstration at Wethersfield Air Base in England. He rose several times to plead that in some situations, conciliation might “blur the fundamental issues involved”; he didn't want the brigade to be involved ever in “patching things up. . . . I'd like us to consider ourselves first of all as a world freedom brigade rather than a peace bri-

gade, because we can't realistically bring about peace unless we are.”

He had anticipated some struggle on this point, but as it turned out, there really was none. The brigade's two initial projects—one in the area of national liberation, the other in the area of protest against preparations for war—were conceived of by all the delegates as “going together” inevitably. It was clear enough that Randle's vision of nuclear war as simply the most extreme form of injustice, the greatest denial of civil, of human rights—“annihilation without representation”—was the vision of all.

“If we are peacemakers,” said Ramachandran in his opening address, “we must go back to our own countries and rebel against our governments, and say to them: ‘You can't commit us to war; we as people give you no moral right.’ . . . Over the issue of war and peace there must be revolutions in every country. You might say this is dangerous,” he added. “Men may say of us that this is betrayal; but we must be prepared for that. . . . Ultimately we must be an army that must be reckoned with. We must become a peoples' movement.”

HOW TO become in fact such a movement was of course a prime question at the conference—how to catch the imagination of the people. There were conflicting anxieties, too, on this score. There were those anxious lest too great an eagerness to win the masses should blur the true image of nonviolence; and those anxious lest too great a concern for the purity of that image lose the brigade the support of growing numbers who are quite willing to experiment with it as a tactic, but unprepared to accept it as a way of life. “When the thing filters down to the masses,” Ramachandran advised, “nonviolence is always of a qualified nature; but for the organizers, conviction must be complete. They are the salt of such a movement. . . . Then trust the people,” he said. “Select a great issue, give a ringing call, turn to the people and trust people, trust people; people will come.” He had seen it happen, he reminded them, with Gandhi.

The essential work, of course, lay

here—in the choice of the issue, in the fashioning of the call, in the scene with which this article began: a group of people bending over a map of Africa, a second group sitting late into the night, pondering with what particular gestures they could best make visible to the world a new way, an alternative to force. At the end of the five-day conference, neither of the initial projects had taken final form. Before the African project could be definite, there had of course to be consultations with independence leaders there. A working committee was set up to complete the details on the anti-war project. It will be a world-wide demonstration

against testing, probably on May 19, with the focus for the day some gesture made by an international group in Geneva at the site of the disarmament talks.* The hours of planning for this project had been the most difficult of all—the clear and right gesture the most elusive; for where can one most vividly confront the great remote machinery of modern war? No one felt that they had found the best answer to the question, but

*Since this article was written, the African project of the World Peace Brigade has taken form: a march across the border from Tanganyika into Northern Rhodesia in support of the Northern Rhodesian independence movement.—Ed.

everyone felt the necessity to “come down on something,” to begin somewhere. A. J. Muste spoke the closing words at the conference, and in those words summed up the feeling of all who were present: “If we were going to wait to build such a movement until we were all perfect *satyagrahas*, we would never begin at all; and we ought to begin where we are and with what we have and go on from there. We *have* begun where we are and with what we have and we *are* going on from there—humbly, I think, but also confidently and with a certain pride, and great determination and readiness to pay the price we may have to pay.”

Wall Street: a Walk on the Wild Side . . by Gerald Krefetz

Congress did not take away from the citizen his inalienable right to make a fool of himself. It simply attempted to prevent others from making a fool of him.

—Louis Loss, *Securities Regulation*

DOWN ON Wall Street, in the shadows of big business, a small-scale entrepreneur is attempting to make a tidy fortune for himself. He is a button maker with a newly inscribed hot item: *IT AIN'T ME!*

This pretty well summarizes the reaction of Wall Street these days to the current securities investigations. Within the last year or so, the Street has been rocked by a series of scandals, swindles and manipulations. The Street hasn't been the focus of this much attention by Washington since the early 1930s. Conversely, the recent Securities and Exchange Commission report on the American Stock Exchange (ASE) has become a bestseller on Wall Street almost overnight and is now in its second printing.

The SEC investigations will deal with major market areas: the dual role of the specialists as brokers and traders; standards for brokerage licenses; “hot” issues; over-the-counter securities; market letters as manip-

ulative instruments; the investment advisory services; credit and the money lenders. The SEC has already sent out questionnaires soliciting information from the parties involved. In the meantime, the agency is combing its own files and evaluating data.

The reason for all this attention, both from the SEC and from the House Subcommittee on Commerce and Finance, is the marked increase in market shenanigans that, if left unchecked, could affect a sizable — and increasing — sector of the American public.

Today there are close to 16 million shareholders in the United States. A poll by the New York Stock Exchange (NYSE) shows that during the period 1952-1959 the number of stockholders doubled; in the past few years, they have been increasing at a rate of 1.3 million a year. Every American is not yet a direct shareholder: a report of the Survey Research Center of the University of Michigan shows that while 14 per cent of American families own publicly traded common stock, only 2 per cent own stock valued at \$25,000. However, most citizens have strong indirect ties to the securities markets through mutual funds, retirement and pension funds, insurance companies and banks. They

may not know a bull from a bear; nevertheless, their moneys are an integral part of the market.

THE brokerage business is flourishing. In 1950, less than 2 million shares were traded daily on the NYSE; in 1961, the figure was over 4 million. Why this growth? No single factor can account for it. Prosperity and industry's need for capital accumulation are the main reasons, but there are others. In part, the revolution of rising expectations has led to dissatisfaction with conventional saving, making some people greedy; in part, the market is a more sophisticated way of passing the time, say, than playing mah-jongg; in part, there is the lure of a vicarious association with the world of high finance; and, finally, advertising has brought Wall Street to Main Street.

A fantastic public relations and advertising campaign has been waged by brokerage firms for the saved as well as the unsaved dollar. Until the recent investigations, one read of unending promises held out by the land of milk and honey: “My objective in selecting this one special situation is to double \$850 before long”; “Stocks' earnings to double and treble. The stocks herein brought to light are . . . selling under \$5 or \$10 and they are undervalued in re-

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lation to earning power about to develop." Advertisements listed stocks that would "treble in the next six months."

As the public, seduced by easy money or the appearance thereof, jumped into the market, the policing mechanisms of Wall Street became lax and lethargic. Some old timers among the brokers, who could recall the Congressional investigations in the early 1930s, attempted to run a tight ship; others grew progressively less cautious. Moreover, during the 1950s the financial community had attracted new young blood, something Wall Street hadn't had for a generation, and a get-rich-quick philosophy permeated the air. Many of the newcomers, complaining that they were hungry, began to cut corners.

IN 1956-57, the first of the new waves of scandal hits. Bucket shops and boiler rooms sprang up and rather overtly tried to separate the public from its purse. The bucket shop — a marginally legal affair — specializes in long-distance-telephone selling of almost valueless securities. New York State Attorney General Lefkowitz was instrumental in stamping out most of them, though some still exist and new ones start daily. However, these were but the first and most flagrant violations.

Policing Wall Street is obviously a difficult business. The securities acts of 1933 and 1934 established a policing body in the SEC, but they also provided for a degree of self-regulation. While the SEC manfully attempted to do its job, though rather short on personnel — there are approximately 2,000 employees, roughly one for every security traded on the NYSE and ASE on an active day — the self-policing practices were somewhat less successful. Cliques, in-groups and the private-club atmosphere were part of the scene. Different standards evolved for the various trading centers. One broker has remarked that many of his colleagues "act according to Hoyle in Big Board operations, play 'Big Casino' on the ASE, cut corners on the over-the-counter market."

The recent report on the ASE underscores the clannish control maintained by the leaders of that ex-



change. First of all, many of the specialists have close family connections, rather like a father-and-son club. While the SEC noted this, it made no accusations of nepotism. It did, however, take the ASE to task for exclusive control by a dominant group — a group that occasionally acted indiscreetly. "For approximately ten years, they had held the key positions in the government of the Exchange in rotation and have thus been able to maintain effective control. . . . A President [Edward T. McCormick] who is in debt to, or who owes favors to, members of the Exchange or persons connected with issuers of listed securities, can hardly be an impartial administrator."

THE Kennedy Administration appointed a new chairman to the SEC, William L. Cary; under him, the commission brought to completion a brief on two specialists of the ASE — Gerard A. Re and his son, Gerard F. — and had them expelled in May, 1961. This was the first significant shock that Wall Street had received in some time. Previous pietistic comments by some Wall Street leaders that "Manipulation in the stock market has been all but abolished" were rudely debunked. Criminal fraud cases brought before the SEC had doubled in 1959 and 1960, and the "largest number of convictions since the earliest days of the commission" was obtained in 1961.

Though the Res have been suspended from their brokerage activities, their case is still before the

courts. It took the commission over four years to complete its charges against them. The implications of their activities are rather far-reaching, casting doubt on certain mechanisms of the trading market and on the efficacy of the exchanges' self-regulation policies.

As American Exchange specialists — guardians, so to speak, of the inner temple — the Res performed a critical function. A specialist is charged with maintaining a "fair and orderly market," preventing large fluctuations between bid-and-asked prices. In order to do this, he performs in the dual capacity of broker and dealer. In other words, he executes orders not for the public, but for other brokers, who in turn do business with the public. At the same time, he executes transactions for his own account. Such a brokers' broker may be charged with five, ten or twenty securities. In order to maintain a "fair and orderly market," he keeps a "book" on limited-price orders (orders to buy and sell at prices which are away from current prices) and stop orders (orders to buy or sell if the current market transactions come into line with the designated prices). Such orders are obviously valuable information that can throw much light on the state and trend of the market, and they are not to be disclosed to anyone but duly authorized Exchange officials. As a broker, the specialist is expected to trade *against* the market trend, buying when others are selling and selling when others are buying. This gives the market its continuity.

As a dealer executing orders for his own account, the specialist is obliged to limit his transactions to those "reasonably necessary" to help maintain "a fair and orderly market."

CLEARLY, in the hands of a dishonest individual, a specialist's functions are open to all sorts of chicanery. The Res started their manipulations back in 1954. In the last year of their activities, 1959, they specialized in twenty securities which accounted for 4.4 per cent of the total share volume on the ASE — no small piece of change. As specialists, they were able to engage in massive distributions of unregistered secur-

ities, and to rig these markets as well. The SEC estimates that they distributed \$10 million in the course of six years. Their day-to-day operations were rather involved, but let one incident serve as an example.

I. Rokeach and Son, Inc., producers of kosher food products, was admitted to the ASE in 1956. Since the Res had been instrumental in Rokeach's listing, they were designated as its specialists. Previously, Rokeach had been a private family company; when it went "public," the Res joined the controlling group and invested \$50,000 in approximately 35,000 shares. Shortly thereafter, the company had an underwriting for the 400,000 shares offered at \$3 a share. Not only were the Res in the controlling clique, but in 1958 they held 20 per cent of Rokeach in one of their phony accounts.

THOUGH it was illegal, the Res held a variety of concealed accounts through their friends: one, a former Cuban official in the Batista regime; another, an itinerant horse trainer of limited means. However, no "insider" trading reports were filed, as required under the Exchange act. The Res and the president of Rokeach effectively controlled the company and presently looked around for a suitable merger. Mergers, by and large, tend to push the stock price upward — obviously, the Res' intent. Eventually, an incongruous merger was arranged with a company that was not listed on the ASE: Rokeach acquired Seamless Girdle Industries, Inc., from Exquisite Form Brassiere, Inc., in exchange for a transfer of the controlling interest in Rokeach to Exquisite Form. The elder Re was then paid a finder's fee of 20,000 Rokeach shares as a result of this deal. In the words of the SEC report, "Re received a finder's fee from a company which he controlled for services which he did not render."

This was accomplished early in 1958. For the next few months, the Res steadily purchased Rokeach stock for their own account, increasing their holdings to 134,000 shares at an average cost of less than \$2 a share, due to warrants and clandestine distribution. Then, after the public announcement of the merger

in August, 1958, the Res sold the stock through their own specialist account and through their controlled accounts, netting themselves a profit, as nearly as can be estimated, of over \$400,000.

To summarize the SEC charges, the Res acquired stocks in companies illegally, used dummy accounts to manipulate the prices, concealed the sources of securities and controlled their flow into the market (giving the appearance of trading activity), failed to maintain the required general ledger or other records reflecting all assets or liabilities, corrupted other floor traders on the Exchange, operated companies as if they were "their own private crap game," rigged the market to the exclusion of legitimate buyers and sellers and kept it moving in the direction that would enable them to dispose of their stock in the most profitable fashion. The SEC noted in its brief:

What this case really involves is an underground business combine. This unlawful structure, existing alongside of its lawful counterpart, provided underwriting, brokerage and banking services to its clients. Its very reason for existence was the evasion of the requirements of the regulatory statutes.

THE RES case was an instructive one, but perhaps more fascinating was the reaction to it of Wall Street and the ASE. Back in 1959, when the first indications of the Res' clandestine activities were brought before the ASE's Business Conduct Committee, the Board of Governors heard the evidence. Of the twenty-five governors, only five found the Res guilty. The Committee on Floor Transactions, however, suspended the Res for thirty days.

When the SEC made its findings known, the ASE suggested that the commission might have stopped the manipulators as early as 1957. Nevertheless, the ASE paid little attention to the testimony or the exhibits developed by the commission. *The Wall Street Journal* reported that, although the information on the Res had been available to the Exchange since February 27, 1961 (three months before the expulsion), the ASE had made no effort to examine

it in Washington or to have it sent to New York even as late as the end of June.

If the ASE wasn't interested in the SEC exhibits, Congress was, and the House Commerce Subcommittee approved a bill authorizing the SEC to spend \$750,000 to investigate the rules and regulations of the national Exchanges. The NYSE and the ASE reluctantly supported the investigation, meanwhile insisting that their own rules were adequate to safeguard the investing public. As one ASE official said, "We had only two bad apples — the Res — and we got rid of them."

In fact, the whole tenor of the Wall Street response indicated that business would continue as usual. But there was more to come. During the House Commerce Committee's hearings on appropriations at the end of June and the beginning of July, 1961, Representative Peter F. Mack, Jr. (D., Ill.), concluded that there was "widespread evidence of speculation and apparent manipulation in many instances in our established security exchanges and in our over-the-counter markets." Moreover, Cary, the SEC chairman, stated that "There have been evidences of a substantial amount of manipulation."

All this was brushed off as "political malarky" by Donald Rodgers of the New York *Herald* ("Who says a good newspaper has to be dull?") *Tribune*. More realistically, *The Wall Street Journal* was concerned by the "very casual attitude which the officials of the American Exchange have displayed to the situation." Nevertheless, the paper was dismayed by the investigations: "Good men do not feel comfortable in a place where order is kept only by bailiffs walking up and down."

THE LAST six months have unfortunately proved the need for bailiffs. Half a dozen major problems have already come to light and more are promised when the SEC concludes the investigation of the NYSE by the end of the year. The Attorney General, Robert Kennedy, has disclosed that the Justice Department was looking into the involvement of gangster elements in the stock market. Thus far, the only

The NATION

connection of this kind seems to be a singular case of one of the Apalachin members running a boiler shop. Most experts seem to agree that gangsters are not bright enough to make a killing in the market. As one attorney close to Wall Street remarked, "The traders on the Street would take their shirts off."

True, some companies have been looted and undermined by sharp operators in the last few years, notably by Birrell and Guterman, but these individuals had perhaps less to do with the workings of the securities markets than with the breaking of companies through "kiting" operations. Another of the more overt forms of fraud is the counterfeiting of securities and debentures and circulating them as collateral for loans or, for outright swindling purposes, by selling them at a discount. Both embezzlement and counterfeiting are "black collar" crimes, rather rare, and they account for only a small portion of financial fraud.

IT IS THE area of "white collar" crime that is receiving the brunt of SEC attention. The first problem is one of distribution. With the fantastic volumes traded in recent years, Wall Street has attracted innumerable salesmen — a veritable legion of peddlers who know little or nothing about what they are selling. By and large, they specialize in unlisted securities and mutual funds. To be sure, one needs a license to sell unlisted securities, but the examination for the license is little more than a joke, rather comparable to the written examination tendered for a driver's permit. To sell *listed* securities, one must qualify by an extended training period and pass the NYSE examination, considerably more difficult than that given for unlisted securities by the National Association of Securities Dealers (NASD).

In part, the generally lax standards are as much due to Congress as anyone else. When the securities laws were reorganized in the early thirties, Congress failed to establish any educational requirements for brokers. This helped to swell the number of customers' men registered with the NYSE from 10,608 in 1950 to 27,896 in 1961. Even more telling is the increase in registration with the

NASD: from 28,794 in 1950 to 93,351 in 1961.

This unselective growth of salesmen has hurt Street standards in more ways than one. Many salesmen are not only ignorant of what they are selling, but whom they are selling to. The old "know your customer" rule has been a sad casualty of the new era. Moreover, with so many salesmen around, the din to "buy, buy, buy" is that much greater, and "churning" of a customer's portfolio — buying and selling for the sake of commissions — is a more common occurrence.

Another problem that faces the SEC investigators is the question of over-the-counter securities, particularly the "hot" new issues. In the last five years there has been quite a boom in new issues: 1956 saw approximately 100 of them (not including Regulation A offerings of less than \$300,000); last year, more than 400 came to market. The reasons are twofold: (1) as the government poured money into the industrial-military complex, new companies were rapidly formed; and (2) a Wall Street adage says, "Why go broke? — go public!" New issues are, of course, a perfectly legitimate way of raising capital for a new company. Banks will seldom underwrite a new business that has as its assets no more than an idea and hope. Underwriters serve a useful function by supplying needed equity. The major difficulty is that new companies often become the plaything, not of speculators, but of quasi-fraudulent underwriting companies.

ALL too often, "going public" is a private affair. First of all, Regulation A issues — issues totaling \$300,000 or less — are exempt from many of the "full disclosure" regulations of the SEC. Less ethical companies find it expedient to price the value of the offering below \$300,000 deliberately to avoid full disclosure proceedings. This in itself gives the security a head-start in the "hot" issues race. The fact that it reaches the market obviously underpriced encourages the bidding for it. Moreover, since most issues of this kind are over-the-counter securities — unlisted on any of the national exchanges — the chances of full dis-



closure as required by the exchanges are obviously dim.

There are many twists to the "new issues" game and a skilled operator may use a procedure something like the following. The first step is to drum up interest, which can be done through a public-relations outfit that will tout the stock in newspapers and magazines through planted stories. Sometimes the underwriter will acquire the services of a securities analyst, who will almost guarantee the favorable reception of a security — particularly if he is given some of the new issue at a discount. After obtaining a good press, the underwriter will attempt to limit the supply by distributing only to friends, relatives and other underwriters. In order to push the price up, a stipulation is made to the effect that no one will sell his securities on the open market till the underwriter gives the word. The security is then listed in the pink sheets of the National Quotations Bureau (NQB) by the underwriter. Though the security was brought out at one set price, the underwriter can feel free to quote a much higher price, inasmuch as he is sure that no one — if his cohorts live up to their word — will sell until he gives the signal. It is this "after market" that is coming under SEC scrutiny.

After the price of the security has been bid sufficiently high, the confederates sell their stock to the unsuspecting public and presently let the price fall to its real value. Rigging the market in this fashion is clearly illegal, but it is often difficult

to differentiate between legitimately "hot" new issues and a phony one.

THE PROBLEM of "hot" issues is intimately tied up with the controversy about over-the-counter securities, which are exempt from regular reports on their financial status and "insider" reports by company officers. In the course of a year, 40,000 to 50,000 securities of this type are traded at approximately three times the dollar volume of the shares traded on the national exchanges. The demand for full disclosure of information on these securities is growing. J. Allen Frear, Jr., one of the commissioners of the SEC, has tried to obtain passage of a full-disclosure bill for many years. A *New York Times* financial writer notes that "If nothing else happens as a result of the present broad-scale SEC inquiry into the securities markets, passage of some version of the Frear bill is inevitable." One difficulty, however, remains: full-disclosure requirements may reveal legitimate company secrets, making industry even less competitive than it is.

Two other problems are also keeping the SEC busy. In recent years, a great number of advisory services and market letters have come into being — a veritable literary bull market, as *Fortune* has noted. Approximately 1,600 individuals and companies are now registered under the Investment Advisors Act. Till recently, the SEC had little notion of whether the companies or their employees had a direct interest in stocks they recommended. The SEC was "pioneering to learn something" in this field.

It has learned something. In a recent test case, the courts held that there was nothing wrong with an adviser's recommending to his client securities in which the adviser held a significant block. The SEC had charged the advisory service with taking short-term profits when its recommendations produced a rise in the market. Thus far two courts have turned down the SEC appeal and the case is now pending before New York's highest court.

Under present regulations, it is perfectly legal for an advisory service to dabble in the market provided it

prints the following ambiguous footnote: "In the general course of business, partners of and/or employees of X Co. may or may not have a position, long or short, in the securities mentioned and from time to time may be executing buy and/or sell orders for themselves and/or their customers." In the test case mentioned above, the advisers, in six separate deals in 1960, made \$20,000 trading on their own recommendations; they had purchased or sold short stock that their letter was going to praise or damn. Since the letters go to many thousands of individuals, their effect on the market is obvious. Nevertheless, the courts found that there was no fraud involved.

Too often, advisory services treat individuals as customers rather than as clients. Obviously, Congress can't legislate honesty or fiduciary responsibility, but it may have to put teeth into the Investment Advisors Act and make trading in a recommended security either illegal or a matter of open knowledge.

THESE advisory services can also mean trouble in another sphere as well. There are a variety of allegations that investment companies are paying extraordinary fees to advisers, that advisory services are "churning" their portfolios with a view to creating brokerage commissions. In other words, there is too much communal back-scratching. The situation becomes even more dubious when one realizes that certain investment companies are wearing three hats: not only do they control large investment funds such as mutual funds, trusts, pension funds, but they pay themselves for their own advisory service and then create brokerage fees for themselves.

The SEC put out a policy statement on this problem in the *Managed Funds Case*, where the commission found the company "churning" a portfolio. It also found another situation which seems to be not uncommon among funds: the company had deviated from its original policy statement and was no longer pursuing the objectives for which the fund had been created. Here again is a case of throwing fiduciary responsibility to the winds.

A final problem puzzling the SEC is that of unregulated money lenders. While no one is ever really certain as to why the stock market rises and falls, many analysts believe that last spring's decline in electronics stocks was due to the collapse of overextended credit. Electronics had been a "hot" issue on which speculators and get-rich-quick boys overreached themselves; when the collapse came, not only the speculators, but many innocent investors, were wiped out. There is nothing wrong with speculating; the late Justice Holmes remarked that speculation was essentially the "self-adjustment of society to the probable." The trouble comes when speculators, not using their own money, exert a deleterious effect on the market price and on investors who *do* have their own funds involved. The Federal Reserve sets margin requirements, presently at 70 per cent, to stop excessive speculation. However, under present conditions, it is easy to avoid the margin requirements by going to a commercial factor who, in turn, borrows from a bank.

A speculator who has \$1,000 in cash can buy only \$1,428 of listed stocks through his broker. If his stock is a listed one, a bank will lend him the \$428, as prescribed by margin requirements. For that sum, he will have to pay the brokerage house or the bank 5½ or 6 per cent interest. However, a factor will lend him much more money, and sometimes requires as little as 10 per cent cash. The customer can then buy \$10,000 worth of stock, provided that he leave the securities as collateral with the factor. In turn, the factor will charge between 18 and 24 per cent interest (usury laws in New York State are only concerned with loans of less than \$800).

Some factors will then take the stock and sell it immediately, lending the money to the next customer. In a rising market, such as we have been experiencing, this can be disastrous for the factor. For when the customer demands his collateral, the factor must go into the open market and purchase the securities outright. Consequently, some factors have gone into bankruptcy. Directly, this concerns no one but the factor and his customer; indirectly, it might

well affect investments by the public in the securities involved.

There is a clear SEC violation, however, when a brokerage house introduces a customer to a factor. The commission is presently investigating two dozen customers' men at Sutro Bros. ("Building Investor Confidence for 65 Years") on charges of arranging credit for customers through factors. Many reliable brokerage houses will not knowingly deliver securities to a factor.

Though the Federal Reserve has the power to restrict the activities of factors, it has never seen fit to do so. Factors, however, are but one aspect of the unregulated money market. While banks are regulated in their lending on listed securities, they may well lend more than margin requirements, if the purchaser does not inform them of the purpose of the loan. Banks will lend money to any customer who has a line of credit; all they ask is a statement from the borrower to the effect that the money will not be used to purchase stock. The banks often know well enough that the loan is intended for stock purchase, but they make the loan anyway, rather than disappoint a steady customer. Besides, there is always interest to collect — usually about 8 per cent.

THESE ARE the major problems facing the SEC. A lot of work remains to be done and undoubtedly the SEC will have to go back to Congress for more money and an extension of the January 3, 1963, time limit given it to analyze its findings. The commission is badly overworked: its personnel has increased only 17 per cent over the last decade, while registration, volume and fraud have increased many times that. Its investigators are putting in long hours at a rate of pay considerably below comparable salaries on Wall Street.

It is too early as yet to guess what the SEC conclusions will be. But their questionnaires, sent to all parts of the investing community, have proved shocking to the recipients. No one had ever attempted to ascertain the source of their income with such precision. Rep. Peter F. Mack, Jr., the chairman of the House Commerce Subcommittee, recently re-

marked that he would "prefer to close the loopholes and perfect the machinery under the existing law rather than make changes in the law." The Congressman may be far too sanguine in his outlook.

The function of the specialist is under particularly heavy fire as a result of the Re case, and more recently, that of Gilligan and Will, also specialists of the ASE. In many ways, the latter case is similar to the Res', and touches two central questions: Is it fiscally prudent and ethically



sound to allow one specialist firm a quasi-monopolistic control of an auction market? Isn't there an inherent conflict between the specialist's role as a broker and his role as a dealer? The conflict is indicated in the fact that, though specialists participated as dealers in only 22 per cent of all transactions on the American Exchange, specialists themselves estimate that 65 to 80 per cent of their profits are derived from trading. In other words, the specialist's prime function, which is to act as a brokers' broker, wasn't anywhere near as profitable as his trading business. Moreover, many specialists solicit public accounts from large funds.

Needless to say, it is difficult to find a bankrupt specialist on Wall Street, though a few contend that they lose money functioning as specialists. There has been some talk of separating the two functions in the belief that a clerk or official could clear orders in a purely mechanical way. This is a possible solution; once before the government stepped in to separate the functions of banking and underwriting. As one writer put it: "Experience has proved that the attempt to do both kinds of business puts too great a strain on the ability and morality of bankers."

There are other pragmatic steps that the SEC or Congress can take to improve performance of the brokerage business, to raise its standards and uplift its sagging image. First of all, it is too easy to enter the brokerage business. An applicant for a seat on the American Exchange, at any rate, is not required to have any experience or knowledge of the securities business. No examination is given. Perhaps licensing brokerage houses might be a beginning. Surely the tightening up of the brokerage examination for mutual-funds salesmen and the members of the over-the-counter houses would also be a step forward. "Hot" issues in the free-market system will always be with us, but one could attempt to make tie-in sales, free riding and the appearance of trading activity more difficult through greater SEC scrutiny. Controlling factors is a relatively simple business. For a long time many financial leaders, most recently Keith Funston, president of the NYSE, have called for extending Federal Reserve regulations to factoring concerns.

IN THE FINAL analysis, instilling fiduciary responsibility is probably impossible through legislation or regulation. From time to time, obvious conflicts arise that cannot be solved by even the most conscientious. However, somewhat stronger actions through self-policing and SEC regulation would help to drive certain points home. It took an unconscionably long time for the ASE to rid itself of the Res. Gilligan and Will were suspended by the NASD for a period of a week when certain violations were unveiled. Nevertheless, Gilligan testified that the suspension had no effect on him financially, since he was a member of the ASE and did not depend on the NASD membership for his livelihood. Most recently, the Sutro Bros. were accused by the SEC of a gross violation of the Exchange act — putting customers in touch with money lenders.

Unless stronger penalties are imposed for violations of fiduciary obligations, there can be little hope that Wall Street's behavior will improve.

BOOKS and the ARTS

At Odds with Gentility

THE TEMPERING OF EUGENE O'NEILL. By Doris Alexander. Harcourt, Brace and World. 301 pp. \$5.95.
O'NEILL. By Arthur and Barbara Gelb. Harper & Bros. 970 pp. \$12.50.

Harold Clurman

IN 1952 the present reviewer, having directed a production of *Desire Under the Elms*, contemplated writing a biography of Eugene O'Neill. Most friends and several publishers were inclined to be skeptical about the subject's appeal. O'Neill, the man and his work, were in limbo.

After the successful revival of *The Iceman Cometh* (1956) and the productions of *Long Day's Journey Into Night* (1956) and *A Touch of the Poet* (1958), Agnes Boulton, O'Neill's second wife, published *Part of a Long Story* (Doubleday) which, as its title indicates, is a biography of a section of the playwright's life; and Shane O'Neill, his son, brought out in collaboration with Crosswell Bowen *The Curse of the Misbegotten* (McGraw-Hill).

Doris Alexander's book, on which she worked for ten years, carries O'Neill's life only as far as 1920, when he was thirty-two. She is writing a second volume to carry the story through to O'Neill's death in 1953. Arthur and Barbara Gelb's book—completed after six years of research—is the longest and most complete biography published to date, obviously the product of arduous investigation and labor. Very recently, too, the New York University Press has issued *O'Neill and His Plays*, a collection of O'Neill criticism (also several "profiles") written over the past four decades. Still another life of the playwright is, I hear, in preparation by a former drama critic of the *Brooklyn Daily Eagle*.

THERE can be no doubt that O'Neill deserves this attention. Whether we like him or not, he was (and still is) the foremost American dramatist. But one wonders whether this spate of writing would have been released had *The Iceman Cometh*, *Long Day's Journey Into Night*, *A Touch of the Poet* been as unsuccessful as the production of *The Moon for the Misbegotten* (1957). We Americans are poor in theatrical memory and deficient in historical appreciation.

There are no "classics" in our theatre because, for one thing, we have no repertory theatres.

For many citizens Van Gogh is chiefly the painter who cut off his ear, Gauguin the artist who ran off to live among the naked ladies of Tahiti, and Toulouse-Lautrec the dwarf who spent a good deal of time as a guest in a brothel. Will O'Neill become impressive to the casual playgoer because so much of his life was disturbed as well as dissolute, his "success story" constantly marred by his will to disaster and his personal agony?

Generally speaking, I am not critically concerned with the intimate history of artists. I prefer to reconstruct an artist's life from the life in his art. (Cézanne said to Van Gogh, "Frankly you paint like a madman." That was very perceptive of him, and, whether Cézanne meant it to be or not, the remark was by no means a total condemnation.) But I was very glad to read Doris Alexander's concise and sensible book, and even happier to learn the source of many plots, characters, materials in O'Neill's plays which the Gelbs track down. This aspect of their book is to me its outstanding merit.

To be more precise about this point, I am upset without being enlightened when I am informed that O'Neill, who had his attractive side (apart from his good looks), was in many respects a bad son, a distressing husband and a wretched father; but I find it illuminating to be told what he read, the places and people he frequented, what he thought about his writing and how he worked. The many quotations from O'Neill's letters in the Gelb biography are extremely helpful and suggest that the authors ought to edit a volume of his correspondence.

The data in the two books agree in the main, though there is some disparity in the accounts of why and how O'Neill's mother became addicted to drugs. And Miss Alexander's explanation of O'Neill's sense of betrayal when his mother sent him off to a boarding school, where he felt isolated and cruelly deprived of her care, is more specific than the Gelbs's analysis of some of the causes for O'Neill's later aberrations. But by supplying a vast panorama of facts and general information, the Gelbs enable us

to form a picture of O'Neill's world which I find most instructive.

What emerges is something more than a portrait of a man. It is the sense of an era in literary (and theatrical) history and feeling: the 1900-20 era when America was, so to speak, coming of age for the second time.

IN HIS formative years O'Neill read *The Rubáiyát of Omar Khayyám*, Swinburne, Nietzsche, Schopenhauer, Zola, Francis Thompson, Karl Marx (what a mixture!). He was "on the trail of real things." Typical artist of his time, he was a romantic, rough-neck Bohemian, an anarchist, a drinker and a roustabout. He was completely at odds with the genteel tradition, and his devotion to iconoclastic literature and odd folk (the insulted and injured as well as the insulting and injurious hobo "intellectuals") stirred his soul and brain to a confusion that was at once immature and creative—and entirely characteristic of a time when, with the aid of the earlier Frank Norris, Dreiser and the ashcan school of painters, the spirit of critical realism was in gestation.

O'Neill was a "redskin" rather than a "paleface," one of the uncouth and the barbarous. This protected him from the inanities of the theatre of his youth as well as from academic anemia. He gained something from his barnstorming father, but on the whole it was the boy's good fortune to have rebelled both against the paternal theatre and against the cultural "refinement" which his immigrant parent might have imposed on him in the way of a college education. O'Neill's experience as a bum saved him from the seduction of Broadway and the deadening effect of fashionable intellectualism. (It is amusing to note in the Gelb book that even at a mature age O'Neill was pleased almost as much by the praise and respect of hoodlums and gangsters as he was by that of the "official" theatrical intelligentsia.)

O'Neill's limitations—there are many and they are grave—may be traced to his motley upbringing and adolescent misbehavior, but these also contributed to certain of his advantages, particularly his independence. O'Neill simply could not conform. The essential man—suffering, seeking, bedeviled, violent, masochistic and constantly groping toward fundamental answers to basic questions—never wandered too far from the path which he had discovered in the

The NATION

wilderness of his inner turmoil. He was more than anything else intent on "hewing to the line." He wanted to understand himself, his family, his time and his country. He sought the meaning of life and ultimately of man's relation to God. He wanted to know why he was in torment; he would have no peace and give no quarter till he unearthed the secret. His quest and the artistic means by which he pursued it were deeply moral and finally religious. His most significant outburst—sometimes he spoke like an over-earnest kid—was "Life is a tragedy, hurrah!" By this he no doubt

meant that he was glad to engage in life's battle; but less consciously it also showed that he was anxious to accept pain in expiation for the guilt by which he was continually ridden. His naive fanaticism transcended professionalism and pragmatism; it gave him a power and a stature that, even when it led him into error, was more enduring than all the cleverness of his slicker colleagues.

Something more than what O'Neill possessed is needed for masterful statements today—or for complete artistry. But anything less will give us only "swell shows."

Men of Crisis

THE PROPHETS OF PARIS. By Frank E. Manuel. Harvard University Press. 349 pp. \$7.50.

Norman Rudich

BETWEEN 1750 and 1850, France produced five philosophers and social thinkers whom Frank E. Manuel, Professor of Modern History at Brandeis University, calls the "prophets of Paris," because their utopian visions, moral sermons and exalted predictions recall the prophets of the Old Testament. Despite differences of doctrine and personality, "they were all crisis philosophers"; that is, the life of each of them was dominated by the passionate conviction that his time was a turning point, the turning point, in the history of humanity, and each saw himself as the spokesman for the new era that was opening. Turgot, the enlightened minister of Louis XVI, made a last-ditch attempt to save the *ancien régime* by a program of reform; Condorcet was the great systematizer of the idea of progress; Saint-Simon, forerunner of modern Socialist doctrine, was one of the first technocrats; Fourier's theories of social harmony inspired Americans and others to set up phalansteries, little experiments in utopian living; Auguste Comte was the founder of positivism and modern sociology. *The Prophets of Paris* is an authoritative and thoughtful commentary on the writings, lives and ideas of these men and of the Saint-Simonian school which elevated the teachings of the master to a new religion. No single book in English revives and reinterprets this period with greater succinctness, analytical acuity and scholarship.

NORMAN RUDICH is an associate professor of Romance Languages at Wesleyan University.

April 7, 1962

These five were the prophets of an era of struggle and change, restlessness, revolution and alienated individuality. It was the industrial era, the richest in the production of rational scientific conquest of nature, the benefits of technology and multiple neuroses. Through their works one can trace the development of a sense of history and the longing for its definitive completion in a perfect and unchanging state of universal love and happiness. Socialism and capitalism, the civilizing mission of Europe among the backward peoples and the rising menace from the proletariat, evolution, primitivism and human perfectibility received their first global ideological formulation at their hands. They were the true prophets of our age, and if we tend to forget our debt to them it is because Marx, Darwin and Freud later submit-

ted their basic conceptions to new syntheses and new interpretations which have acted more directly upon the life and thought of the twentieth century. The crisis of which those early social theoreticians were the philosophers turns out to be nothing less than the advent of the modern world.

PROFESSOR MANUEL occasionally shifts focus from the ideas of his prophets to their personalities and to the historical and social background which was their common source and heritage. He corrects Fourier's mistaken assurance that his ideas had been plagiarized by the Saint-Simonians by pointing out that each had developed his ideas independently as the eighteenth century drew to a close. "They were tuned in on the same celestial stations and listened to the sighs of the same wretched humanity." Occasionally he reminds us that the economic and political changes which carried France through revolution, empire, restoration and again revolution between 1789 and 1830, and again in 1848, explain to some extent the variations in their doctrines. I think the book might have been stronger and presented a more balanced picture if some pages of the purely intellectual history had been sacrificed to political economy and sociology. The long account of Auguste Comte's vain attempt to deny his debt to Saint-Simon is less interesting than the relationship of the Positivist movement to the revolutionaries of 1848 and later to the Second Empire.

But as an "intellectual historian" Professor Manuel finds it necessary to apol-

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Other studies in preparation: Unintended War, by Arthur Waskow; One World—One Man, by Erich Fromm; Does Deterrence Deter? by D. F. Fleming; Revolution and Cold War, by Sidney Lens; Free Choice or Engineered Consent, by Dallas Smythe; Disarmament and the Communist Threat, by Fred Warner Neal.

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ogize to his academic colleagues for even these few deviations from the abstract method which characterizes his field. He does not want to be labeled as a psychological or sociological "determinist," although he confesses a "penchant" for these ways of thinking. It seems to me that neither "determinism" nor "penchant" is the real question. Confirmable fact and intelligent, consistent interpretation, both of which Professor Manuel has at his finger tips, show that Saint-Simon's doctrines were influenced by the indifference of scientists to his early glorification of science and then by the financial support he received from businessmen for his propaganda in favor of the "industrialists"; that Fourier's unrepressed utopia was the vision of a very repressed man, etc. The unprofessional reader might criticize *The Prophets of Paris* for not providing enough historical and philosophical background.

In this context it is difficult to state Professor Manuel's point of view. On the one hand he recognizes that he has treated his "prophets" with some "levity." He emphasizes the paranoid and schizophrenic symptoms revealed in their systems. On the other hand, he recognizes the grandeur of their thought and wishes his book to be a "rehabilitation." The result is a compromise which leaves me wondering just whom he wanted to rehabilitate and why. It is not clear which ideas Professor Manuel considers to be of greatest significance to a contemporary reader.

The book thus lacks the clarity that a strong point of view can infuse into historical material. The author renders each man his due, delineating the successive innovations of thought contributed by each; and that is certainly one of the outstanding features of his work. He ends his epilogue with a general critique of the prophets of Paris which is probably as close as he comes to stating his own point of view:

Broad as was the horizon of their inquiry and understanding, there is a blind spot among the prophets of Paris, the absence of a tragic sense.

This lack "reduced their humanity to philanthropy." Yet the tragic sense of life through which our age prefers to see its own reflection has mainly inspired prophets of such world-weary despair that, despite the confusions, aberrations and forlorn comicality of some of the prophets of Paris, we can only envy their courageous ability to preserve their unshakable humanism and their faith in the future. Professor Manuel's conclusion, however, does nothing to lessen the value of his excellent and useful book.

Second Impressions

Review of Paperbacks

Robert M. Wallace

Africa

AWO: The Autobiography of Chief Obafemi Awolo and *Zik: A Selection from the Speeches of Nnamdi Azikiwe* (Cambridge University Press, \$2.45 ea.; cloth, \$4.50, \$4.75) may explain obliquely why in its first year and a half the Federation of Nigeria has suffered few violent troubles. Mr. Azikiwe, the governor-general, earned a bachelor's and graduate degrees in this country and on his return to Nigeria in the late 1930s was ready to speak with force, insight and sophistication in the independence movement. Chief Obafemi, who leads the Opposition to Prime Minister Abubakar, attended lower schools in Nigeria and studied law in England late in his career. His boyhood reads at times like one in Devon, not Western Nigeria, and the whole autobiography exhibits a fruitful union of African and British ways of thinking. Equally in point, it tells of a vigorous, open independence movement organized by Herbert Macaulay and tolerated by the British since 1923. Awo can speak of a "growing community of Nigerian intelligentsia" as early as 1934. He was in the midst of them, determined but generous, balanced and without rancor. His book is warm, bracing, confident and comfortable reading for friends of a free and democratic Nigeria.

From Penguin: *West Africa and the Commonwealth* by Dennis Austin (85c); *African Political Parties* by Thomas Hodgkin (95c).

History

A Study of History by Arnold J. Toynbee. Vols. I, II, III (Oxford, \$2.45, \$2.35, \$2.75). One of the great events in paperback publishing, the first step in issuing the complete *Study*. Here, in 1400 pages plus 62 of index, compared to 273 in Somervell's abridgment, Toynbee discourses on the genesis and growth of civilizations. The cryptic and dogmatic style of the shortened version is gone, and here, whatever one thinks of Toynbee's theme, the exposition is clear, well argued, informative and suggestive.

Attitudes Toward History by Kenneth Burke (Beacon, \$2.25). Methods and points of view on which men have shaped societies; the 1959 edition.

Economic Development of France and Germany, 1815-1914 by J. H. Clapham (Cambridge, \$3.75). Detailed, well-balanced, skillful; emphasizes the "solid

economic gains" by labor as industrial, commercial and labor movements developed.

The Jefferson Image in the American Mind by Merrill D. Peterson (Oxford, \$2.65). The mutations and uses of Jefferson's reputation from his death to about 1940; excellent bibliography.

Andrew Jackson: Symbol for an Age by John William Ward (Oxford, \$1.75). Not Jackson, but his age, with its primitivistic optimism and anti-intellectualism as symbolized by the self-sufficient folk hero.

The Confederate Raider Alabama by Raphael Semmes; Philip Van Doren Stern, editor (Premier, 75c). The portion of Admiral Semmes's *Memoirs of Service Afloat* not reprinted in *Rebel Raider* (1948), pruned to a rapid, passionate narrative.

Personal Memoirs of U. S. Grant (Universal Library, \$2.45). Unassuming, generous, direct and deeply moving; the complete text, not cut like Premier's.

Army Life in a Black Regiment by Thomas Wentworth Higginson; John Hope Franklin, editor (Beacon, \$1.95). The combined lark and crusade of a Massachusetts abolitionist as colonel and of his slave regiment recruited in 1862 from the sea islands of South Carolina.

Government

The Nationalist Movement: Indian Political Thought from Ranade to Bhave by D. Mackenzie Brown (California, \$1.50). Judiciously selected writings and speeches of Indian leaders and Brown's own analysis of how India met the crises precipitated by Western culture and by the struggle for independence.

Government and Science by Don K. Price (Oxford, \$1.65). A series of lectures from 1954 proposing that science and professional discussion have affected American public policy, and the methods of its administration, more than conflicts among political parties and pressure groups.

Principles of Social and Political Theory by Sir Ernest Barker (Oxford, \$1.85). The 1950 edition, a testament of the author's old age summarizing his social and political philosophy. Also: *The Politics of Aristotle* edited and translated by Sir Ernest Barker (Oxford, \$1.95). *Social Contract: Essays by Locke, Hume and Rousseau*, edited by Sir Ernest Barker (Oxford, \$1.65).

Letters

Selected Prose by A. E. Housman; John Carter, editor (Cambridge, \$1.45; cloth, \$3.75). Previously scattered prefaces, reviews, addresses; sensitive, ele-

gant, in somewhat Edwardian taste but based on precise detail and a salty impatience with pretense and slovenliness.

Seamarks (Amers) by St.-John Perse; translation by Wallace Fowlie (Harper, \$1.45). A lyrical conjuration of the sea and its multiform symbolism by the Nobel laureate in literature for 1960, the original and an excellent translation on facing pages.

The Poem of the Cid (Mentor, 75c). Menéndez Pidal's standard Spanish text facing a translation by W. S. Merwin which approximates its form and preserves its spirit; excellent historical introduction.

Twilight in Italy by D. H. Lawrence (Viking, \$1.35). A beautiful book, the very touch and radiance of North Italy, brilliant, sensitive and stylistically immaculate.

The Apprenticeship of Ernest Hemingway by Charles A. Fenton (Mentor, 60c). Apprentice scholarship itself but enlightening for the period 1916-1923.

Ernest Hemingway: The Man and His Work; John D. K. McCaffery, editor (Avon, 75c). Twenty-one pieces from the thirties and forties, most helpful regarding Hemingway himself but something of a jumble as a book.

Miscellaneous

The Black Muslims in America by C. Eric Lincoln (Beacon, \$1.75). Full length though sometimes technically deficient study of the 100,000 militant black supremacists who scorn integration and demand a separate state.

Thinking Machines by Irving Adler (Signet, 60c). A comprehensible but not easy exposition of the uses, techniques and limits of electronic computers.

The Future as History by Robert L. Heilbroner (Evergreen, \$1.75). Pursues

nagging questions, perhaps too heavily formulated, raised by current views of the malleability of events and by new technology and political economy.

The Sociological Imagination by C. Wright Mills (Evergreen, \$1.95). Proposes development of a new sort of humanism and rationality based on a sound knowledge of history as the pressing need in sociology.

Counterfeit-Sex: Homosexuality, Impotence, Frigidity by Edmund Bergler (Evergreen, \$2.95). A psychoanalytic-psychiatric approach, unhappily sensational, doctrinaire and disputatious but with some useful derivations from clinic practice.

Whose Body? by Dorothy Sayers (Avon, 40c). One of Lord Peter Wimsey's minor triumphs of ratiocination, a little dulled after forty years. *The Girl in Lover's Lane* by Charles Boswell and Lewis Thompson and *The Girl in the House of Hate* by Charles and Louise Samuels (Gold Medal, 50c ea.). The "classic" Hall-Mills and Lizzie Borden trials, ineradicably sordid with the "typical peculiarity" of real murder, in the Samuels' phrase.

AT YOUR DRUGGIST'S: *Seeing the Earth From Space* by Irving Adler (Signet, 60c). *Eight Men* by Richard Wright (Avon, 50c). *The Store* by T. S. Stribling (Avon, 75c). *Manon Lescaut* by Abbé Prevost (Signet, 60c). *The Princess of Cleves* by Madame de La Fayette (Signet, 50c). *Dangerous Liaisons* by Choderlos de Laclos, introduction by André Maurois (Bantam, 75c). *Atala and René* by François-René de Chateaubriand (Signet, 1 vol., 50c). *The Three Musketeers* by Alexandre Dumas (Pyramid, 75c). *Nana* by Emile Zola, introduction by Henri Peyre (Collier, 65c).

LETTER from SEATTLE

Lincoln Kirstein

IN THE coming months, Century 21 Exposition, the Seattle World's Fair which opens on April 21, will get its just and lavish due in the press. But before the massive weight of an indicated and seemingly inevitable success swamps any hint of the trials of its inception and organization, it may be useful to indicate some of the realities behind this exemplary project. The pressures which urged its birth are not unique to our Pacific Northwest, although the physical plant which these pressures have finally determined is unique in this nation

April 7, 1962

at the present. The normal human obstructions of conservatism, apathy and the frictions of greed and envy, which made much of the early going difficult, are universal, but the success with which they have been overcome, and fairly rapidly, are unusual anywhere. We now have many projects for "culture centers" all over the country, from Lincoln Center in New York which is already partly built, to those projected for Los Angeles, Pittsburgh and Washington, D.C. But next October, at the end of its World's Fair, Seattle will be

in possession of a vast civic improvement which will offer a complex of facilities on a scale of practical generosity not even anticipated by any other community. This center will contain an opera house-concert hall, a small theatre, a science pavilion, a sports arena and an outdoor stadium, an exhibit hall and a coliseum.

In the light of Seattle's achievement it is easy to denigrate the present considerable accomplishment of Lincoln Center. But whereas New York City, or rather the Borough of Manhattan, must accommodate a heavily crowded and overbuilt plan on some fourteen acres, Seattle could provide an open yet closely integrated design of seventy-four acres. Lincoln Center will finally cost the federal, state and city governments, various foundations and individuals in the neighborhood of \$200 million, while Seattle has completed its plan with

LINCOLN KIRSTEIN is the General Director of the New York City Ballet which will appear for two weeks at the Seattle Fair.

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about \$85 million. Again, however, Manhattan is an island, and its costs in land and labor are the nation's peaks. Social, economic and geographic insularity predicate extremely conservative possibilities. For one thing, it might have been possible in any European autocratic or Socialist state to condemn the expensive block of real estate leading from Central Park West to Broadway. This would have provided an axis for Lincoln Center, a planted parade approach which is the normal setting for its key building, the Metropolitan Opera House. But the razing of property involved would be unthinkable here and now. Manhattan has not been a frontier town for two centuries; in many ways, Seattle still is. And Seattle is more homogeneous and focused than Los Angeles, less rich and complacent than San Francisco.

The more one studies the organization of the Seattle plan, the more one doubts it could have been effected on such a scale in any other part of the country. There may be more money in Texas, but Texas suffers from a self-perpetuating parochialism which prefers to spend its energy in the inbred competition of three towns, and tends to exclude the rest of the world, except as it applies to Texas. New York may be the cultural capital of the country and port to the globe entire, but its costs and pressures in nerves and property preclude much breadth or daring. Washington, as a national capital, has a symbolic prestige of some urgency and a captive audience of tourists and government workers, but it is at root inchoate and faceless.

There is a very strong face to the Seattle Fair which is most immediately apparent in the impulse and ability to control its over-all visual aspects. From the outset, there has been a determined effort to maintain a unit which contains an elastic interior vitality and variety, presenting a unified, light, elegant stylistic whole. Unlike many previous fairs, one's first impression is not of any startling eccentricity in a few arrogant and insistent profiles, but rather of a more or less delicate fantasy within a compact plan. It sacrifices no gaiety or playfulness, but it is designed as an integrated precinct, rather than as a loose collection of temporary structures.

And unlike other world fairs, past and future, there was a root necessity for the Seattle exposition, beyond the compulsive exuberance of an energetic park commissioner, or the usual enthusiasm of a Chamber of Commerce. This necessity was the many-sided and long-acknowledged demand for a center for industrial shows, cultural activities,

sports events and entertainment, serving not alone a large city but a whole region that embraced Seattle, Tacoma, Spokane and up to Vancouver.

IT IS difficult to understand the economic logic of self-styled hard-headed businessmen, bankers, actuaries and real-estate operators who backed the "Century of Progress" in 1933, the New York Fair of 1939 (as of 1964) and the Brussels Fair of 1958, wherein the greater part of their investment in planning and construction was wiped out at the conclusion of each show. In New York, which is typical, the fair site is too far removed from the urban center to have much continuous value except as a summer park. A concept of permanence and continuous use was paramount from inception in Seattle, and hence its integration, the ordering of its facilities, its accessibility to the heart of the city as well as the adjacent growing outskirts were always considered.

In 1956, the City of Seattle authorized a modest bond issue of \$7.5 million, to initiate a civic center whose rather vague conditions then included a 6,000 seat opera house as a multi-purpose auditorium. The scope of the present center was hardly indicated, and the interest of national or international factors not even suspected. To be sure, there was the useful reminder that in 1909, Seattle had held the Alaska-Yukon-Pacific Exposition for 137 days. In spite of the lack of mass transport at the time, four million people visited Seattle.

In 1957, Governor Albert D. Rosellini invited some seventy business, labor and community leaders to form a trusteeship for Century 21 Exposition, Incorporated. However, any major underwriting was a considerable struggle until as late as 1960. Then, with substantial aid from Senator Warren G. Magnuson, help was promised in Washing-

ton for a very ambitious Science Pavilion, for which the federal government granted \$9 million, the largest sum for such a purpose that has ever been made. (The New York 1964 Fair will probably receive \$25 million from the same source.) Having grown from its first notions of a state fair, to a regional exposition, Century 21 then sent Joseph Gandy, the energetic president of the Fair and a local Ford dealer, to Paris, where he obtained from the Bureau of International Expositions an authorization as a legitimate world's fair. This recognition automatically allied thirty member nations with the project. Such authorization has been ignored by the New York World's Fair of 1964.

IN order to encourage those who follow in the footsteps of Seattle's planners, it should be said that the early going was the reverse of simple or easy. Not only doubt, but possibly well-intentioned opposition was a powerful deterrent. Whenever public lands or facilities are in hazard, either to rehabilitate or replace, whenever there is a question of condemnation, reconversion or improvement, one must expect every legal hindrance due process can muster. Seattle had its full share. For example, an individual who owned some \$1,000 worth of the original \$7.5 million city bond issue brought suit. He stated that the proposed new multi-purpose concert hall was merely a conversion and not the new facility which had been voted by the people; in June 1959, the court ruled in his favor. A general referendum was scheduled for September so that the entire local electorate could be heard. And the Seattle voters sustained the conversion program. Had they denied the plan, the cost would have been almost double. To build an opera house-concert hall from scratch would have entailed many millions more than the original \$4 million proposed for that building; no additional facilities could have been afforded. What finally resulted was the completion of an excellent opera house within the walls of an older structure (the former vast civic auditorium) at a cost of \$2.5 million; the remaining funds were allocated to the small theatre and further permanent exhibition space. In addition, \$1.5 million was authorized from the city's general funds to assure completion of the whole culture center in more than a minimal fashion. This included the realistic decision to purchase first-rate equipment and furnishings which will mean long-range economies of maintenance.

At the start, apart from suspicion and

The Light

goes, as the
day. Sun, a
measure, as
fire is, as
fleshed, enacted,
unended, penetrating
as
air air, the
inseparable push
from into.

Cid Corman

envy, there was considerable doubt that sufficient energy and funds could be found to justify an appreciable local displacement of habitual investment and passive planning. Besides, there was not even a skeleton staff to direct strategy for such an exercise. But beginning five years ago, a small key group of the busiest men in the Northwest met on Fair business weekly, later twice a week, from seven o'clock in the morning until their own offices opened. It took three years of tactical maneuvering to clear the way for actual construction. But the fact remains that for the last three years, the Fair has enjoyed the strongest volunteer program both in quality of leadership and dollars of underwriting, for any public purpose in the history of the Seattle region. One cannot pretend that it was a mass movement; a very few men did a very great deal of work. That so large a program was undertaken in peacetime, rather than under the whips of war, is also heartening.

PAUL THIRY, a local architect of taste and capacity and a member of the City Planning Commission, was retained as governing architect for the whole exposition, and for the residual permanent civic center. He has insured a unity of style in a manner which has been more editorial than censorious. In order to accommodate diversity within a unified whole, a repetitive module was established for much of the shelter skirting the Fair walls. Tall, delicate, square, black-steel columns at regular intervals support a more or less continuous colonnade, facing the interior of the Fair grounds; these hold up large square pre-cast concrete vaults which form a solid roofing. The spaces between the columns may be plugged in any way the exhibitors desire, to avoid monotony, although all plans have been under the close observation of Mr. Thiry and his staff. The use of very thin pre-cast concrete slab walls on the perimeters of the grounds is most impressive. The construction workers took considerable pride in the great project; it was a mark of some prestige to be chosen to work at the Fair. As a result, the broad walls have a surface, their edges a crispness, hardness and apparent solidity, unusual to an often graceless and impermanent material.

B. Marcus Priteca and James Chiarelli, local architects, have inserted a very handsome and capacious opera house seating 3,100 persons, with a huge and well-equipped stage and a luxurious lobby in rose marble, within the shell of

the old civic auditorium. Apart from serving the Seattle Symphony annually, it can accommodate the San Francisco and Metropolitan operas, on tour, in facilities as good as, or even better than, their own homes. The Fair has taken similar advantage of other existing and adjacent structures. The sports arena, seating 5,500, has been handsomely refaced in brick; the large state stadium, seating 12,000, has been beautifully replanted.

A courageous and dramatic move was made during the Fair's earliest planning in the retention of Minoru Yamasaki of Detroit as a member of the Fair's Design Standard Advisory Board. This Nisei architect had lived in Seattle and graduated from the University of Washington, but had left because of the anti-Japanese feeling engendered by the Second World War. His parents had been interned as enemy aliens, and his return to Seattle was not undertaken without emotion. The Federal Science Pavilion, the single most ambitious complex at the Fair, is entirely of his design. Although Yamasaki was actually no longer advising the Fair when he, with the local Seattle architects Naramore, Bain, Brady and Johansen, was selected by the United States Government to design this building, his interest stemmed from a very close involvement in the original embryonic ideas. Yamasaki has placed three large rectilinear structures around a water court; very tall pre-cast concrete columns in the center form an airy skeletal pavilion, capped with a lacy articulation of tracery and concrete spider-webbing which is almost late Gothic in feeling, and also recalls the construction of crystals. It is a masterpiece. When the Fair closes, it may revert to the University of Washington.

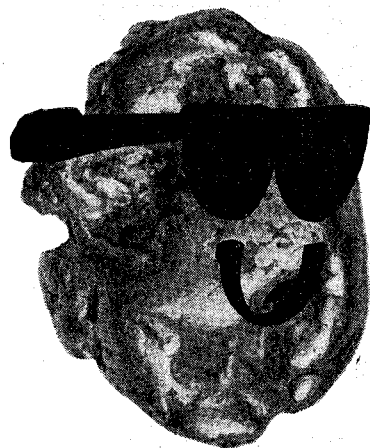
THE theme building of London's 1851 International Exhibition was Paxton's Crystal Palace. The fourth international French fair was adorned by Eiffel's tower which, until the present has surpassed all other theme structures, including the Trylon and Perisphere of New York in 1939, and the atomic globes of Brussels in 1958. John Graham, a Seattle architect-engineer, had recently placed a revolving restaurant on a large office building in Hawaii. He was asked by a group of private financiers to design what has now become the Fair's theme building, and promptly produced the Space Tower. It is far handsomer in reality than early models or the renderings issued by the management. In certain lights, it seems entirely improbable, for its central service shaft disappears, and one sees only the slim profiles of the

bundle of steel-and-concrete rods, which support its diadem, 600 feet in the air. The rods are pinched together at a height of 375 feet, and then gently flare out to 550 feet, to hold a restaurant seating 600 people, which turns imperceptibly once an hour, to give an incomparable view of bay and mountain ranges. It is proof against earthquake and even suicide; it is so perfectly balanced that a one-horse-power motor is all that is required to swing the restaurant.

"The World of Tomorrow," the theme show of the Fair, is housed in perhaps the most radical engineering among many very advanced designs. Paul Thiry has designed a coliseum which can house large conventions and sports events after the Fair closes. Four massively sculptured concrete tripods act as abutments for the four steel compression trusses of the roof envelope, and are connected by

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UNIVERSITY OF CALIFORNIA

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317

a hollow pre-stressed concrete edge beam. Steel cables laced between the trusses form a hyperbolic paraboloid network on which aluminum panels are secured to form the completed roof. This encloses three acres of uninterrupted space and can seat 18,000 persons when cleared of exhibits and converted to civic-center use.

In what will be the civic center's main complex, connecting the small theatre designed by Paul Kirk with the opera house, stands the Exhibit Hall. It is a very high and well-lit concrete shell, enclosing some 40,000 square feet of space. During the Fair, this will contain at various times, an ambitious exhibition of masterpieces of painting from international collections, chosen by Dr. William Milliken, director emeritus of the Cleveland Museum; a large show of American and international art since 1950, selected by Dr. Sam Hunter of Brandeis Uni-

versity and Dr. William Sandberg of the Stedlijk Museum, Amsterdam; and the arts and crafts of the Pacific Northwest. By no means least, there will be shown the best of the brilliant collection of the Seattle Museum itself which, under the able direction of Dr. Richard Fuller, has made itself famous among American galleries of middle size since the last war, particularly in its Chinese and Japanese departments. There will also be a one-man show of pictures by Mark Tobey, perhaps the most widely appreciated of Northwestern modern painters. The opera house, the small theatre, the sports arena and the large stadium, owned by the Seattle school system, will be continuously occupied by performing-arts events, under the direction of Harold Shaw, an associate of S. Hurok.

IN AN operation of such magnitude, many people have been responsible, and a wealth of medals and bouquets have already begun to be handed around. But, as is often the case, a very few have been in key positions, and of these some have seldom been mentioned at all. In the central-operations office of the Fair corporation there is mounted a terrifying robot, the Countdown Machine. This proclaims visually the weeks, days, indeed the hours to high noon, April 21, 1962, when President Kennedy will declare the Fair open. No one watches this relentless reminder with more fascination, alarm and hope than Ewen C. Dingwall, since 1957 the vice president and general manager of Century 21 Exposition, Inc. Mr. Dingwall, an affably anonymous dynamo, is one of our unsung culture heroes. He served an invaluable apprenticeship as the former executive director of the Washington State Research Council; he has been executive assistant to a mayor of Seattle and is no innocent in Washington, D.C., nor in Athens or Tokyo. He has been chief administrative officer of the entire Fair, charged with carrying out the plans and construction of the whole scheme. Under fifty, Dingwall is a concentrated man who seems first of all to have conquered any apparent restlessness or apprehensiveness of his own, to have found a formula which saves time, money and nerves, with at the same time a just insight into the personal interests of diverse people. Mr. Dingwall has something more than administrative gifts and long experience. By supporting the choice of individuals whose best judgments were sometimes quite at variance with the atmosphere of commercial success, he has imposed a high degree of elegance on this exposition. With the small key group of strong-willed leaders

in close agreement, Dingwall recognized from the start the importance of a philosophical or aesthetic basis to so popular, so loose, and in the best sense, so democratic a proposition. The Fair has not so much good taste, nor any one man's taste; it is the creation and presence of an ambience in which logic, gaiety, a homogeneous lightness and variety interlock with compactness and practicality, with no watering of a central aristocratic integrity, and nothing vulgar.

IS there nothing wrong, at all? Are there no errors? Had it to be done again, could anything be done better? These questions are scarcely relevant at this juncture, particularly since there is so much of excellence and the Fair is not yet finished or open. It might be carping to find some fault with the brutal and graceless pre-cast concrete supports of the first monorail train in the United States: it will transport visitors from downtown Seattle to the Fair grounds, more than a mile in ninety-six seconds. But they point to the fact that the Seattle Fair designers had nothing to do with the visual aspects of the monorail; it was planned and executed (and financed) by a West German concern. When one compares it with the delicate concave and convex domes sheltering many of the national and industrial exhibits, one sees the wisdom of controlling design with a firm yet delicate central hand and eye. One might, as a professional theatre man, question the size of the small theatre. To provide for only 800 people in so beautiful, so luxurious, a house is luxury indeed; the economics of present-day theatre being what they are, future managers may moan for another 400 seats for which there can never be room.

And naturally one wonders what use will be found for the opera house, the small theatre, the sports arena and coliseum, and all the other fine facilities after the end of next October, when the Fair is closed. It would be a tremendous pity if their reversion to the City of Seattle resulted in a perfunctory city-hall operation. To fill such premises, to maintain them in a city the size of Seattle, fifty-two weeks in a year, year in and year out, will take money for loss and for development. But is it too much to expect that the men and minds which called these structures into being in response to a real need (even though you can't have a world's fair every year) will be unable to determine their future uses? There is already much discussion of a public-service corporation which will manage or lease the spaces from

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the city on a basis of planned quality.

It would be good to think that what Seattle has been able to do about getting a culture center as the residual endowment from a world's fair, could be done in half a dozen other American communities in the next thirty years. Boston, Atlanta, Chicago and Los Angeles naturally spring to mind. All have large and growing urban and suburban areas, and are regional centers as well. The manner in which Seattle has responded to its necessity, its combination of salvage and courage, is certainly a model and an incitement.

ART

Max Kozloff

THE OBVIOUS challenge which Henry Moore's large show at Knoedler's provokes is to view his work with a fresh insight. It has been a long time, after all, since he has been around in such force, and his latest works have created a stir of approval. I am afraid that I am not up to the challenge, but I am ungracious enough to consider this more his failure than mine. For all its gathering expansiveness, Moore's sculpture is still powerful, weighty, beautifully finished and passionless. It still aspires to nobility, and still falls short of it, and it still claims a purifying communion with nature while remaining overly calculated.

The relation between nature and tradition in Moore has always been an intimate one. He tends to use sensations from the former to rub out his overwhelming dependence on the latter. And frequently he rubs clean through his sculptures, penetrating the form to produce his famous holes. There was something spiriting about this thirty years ago. But in this exhibition of fifty-nine bronzes concentrating on Moore's work since 1950, though the energy and even variety of his production may have increased, its inventiveness has not. The truncated, knobby forms (Moore's sculpture is all knees), the surface contusions meant to imply weathering by the elements, the grooves, bulges and incisions, are today much more modernistic than modern. Just as his picked clean bones are predictable in their design, his sources are pretty obvious in their derivation: Greek pediment sculpture, the Pisani, Mayan and Romanesque monuments, Picasso, etc. Even to Moore himself, this catholicism of

taste must have seemed incriminating, for he has tried to give his sculpture a faceless, archetypal character—a sign, I always suspect, of a weakness of sensibility and rhetoric. Moore creates essentially personable compromises with all the good ideas of the past, and his shapes never lack "interest." But tradition is vital in a man's work only when he is not conscious of it, and Moore hankers enough after the grand manner to present his works constantly as examples of a mode rather than as a reaction to a specific experience.

I'm fairly certain that this is what makes the current display emotionally unaffecting. Not that Moore is unconcerned or disengaged from the human predicament, but his totemic clichés, simulated *Schmerz*, and monumental silhouettes are dull and worn out expressions of it. Ironically, the more timeless Moore becomes, the more his works define themselves as period pieces.

ROBERT MALLARY has been previously known for "bas-reliefs" consisting of shattered and tapering boards dangling down from clots of refuse: splinters, rags, corrugated cardboard and charred wood. These accumulated silts of abandonment looked rearrangeable—that is, subject at any moment to transient shifts, either of gravity or atmosphere. But as silhouettes the Mallary still lifes were disciplined in their cut and torn edges, terminating in jagged stalactites. In color too, they suggested that dust itself contained the richest of hues. Mallary was like an artful termite who knew when to stop. His attractive debris struck me as the height of romanticism.

That he has now utilized the same combination of materials to evoke human presences (recently at Alan Stone Gallery) seems as improbable as that he would become a constructivist. Yet man, or at least the shredded, desiccated vestiges of man, presently concerns the sculptor. The effect may still

be romantic, but closer, I think, to the terroristic. (Though not necessarily the terrifying.)

All his pieces have now come unhung and lean precariously against the walls, or, as with one work, *The Suicide*, slump brokenly over a table. The flatulent *Fat Man* is suspended so intimidatingly in the center of the room that you are flattened out backwards, but only into the waiting edges of Mallary's other personages. They are made rigid by a combination of polyester and fiberglass, a horrific starch which arrests decay and organic life indiscriminately. Hence Mallary's images are both exclamatory and vacant, belligerent and fragile. A few of the more

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eviscerated works seem to be making unheard shrieks—silent because their vocal cords have been cut out.

Add to the above an uncanny feeling for clothes that verges on the fetishistic. Tuxedo, leather and denim are employed derisively to indict the more popular fantasies of dress. Thus, a striped T-shirted, jeaned figure, soused in treachery "perspiration," is entitled *West Side Story*. To the cosmetic, Mallary opposes the rancid; against the fashionable, he exalts the derelict.

In fact, here may lie his trouble. Never quite completely, but still palpably, a reverse sentimentality has injected itself into his work. Furthermore, the way his sculpture refuses any normal installation is merely annoying rather than disturbing, however relevant thematically. Mallary is cutting up instead of settling down. But bravo—who is to say?—may be the necessary price his vision pays for a genuine boldness.

THE EGAN GALLERY is showing a handful of new pieces by Reuben Nakian, one of our veteran, but only belatedly acclaimed, sculptors. Though

small in number, they are consistent with his recent work in that they are large in size and concept. Black bent-metal plates fluttering around, and suspended on tubular beams, were the components of his vision most familiar to us up to now. Suddenly, Nakian has sacrificed all the clarity of those heroic flakes which billowed airily about their supports, has changed his medium to a heavily drooping patinated plaster (the state prior to bronze casting), and has abandoned the former brittle-shaped voids to the fuzzy apertures which perforate the crumpled surfaces of his material. Only the stilts, which now sometimes impale the masses, recall the earlier Nakian. One has to interpret form all over again, a form which physically resembles taffy slowly roiling on to the floor.

It is worth the effort. Nakian varies his densities, for example, from turgid to shredded, or when the passages are inactive, from solid to porous. In addition, since he is now modeling instead of cutting, shaping and joining, his compositions have an incredible, stumbling flow, as if relieved to become more or less intact once again. Then, too, the immediately neighboring spaces appear to slither past and over the image, caressing and being harassed by it in turn. Finally, light has been dramatized by a thousand accidental and minute folds (formed as the plaster set), with the result that the surfaces catch, sprinkle and baffle luminosity. For all its risks and negations, then, Nakian has turned this new three-dimensional inquiry to good advantage.

Abstract though they are, however, these sculptures are no mere exercises in form. For one thing, they evince a struggle both in the handling and ideation which is charged, I think, with considerable pathos. Nakian's *Rape of Lucrece*, shown at the Museum of Modern Art, is rhythmically exhilarating, but these latest pieces express fatigue and exhaustion. Their volumes, too, are deflatable. A huge piece, *Hecuba*, spills alarmingly over its delicate scaffolding, while *Voyage to Crete* is sparsely fleshed, and its skeleton exposed, as if it had been ravaged by scavengers. Yet, while Nakian may give his work titles from Greek mythology, he is much less indebted to ancient sculpture, or that from any other period, than the majority of his colleagues. It is just that his mood may correspond — it never submits — to some of the monumental insights of the past. And his mood is now passionate and tragic. It has produced memorable results.

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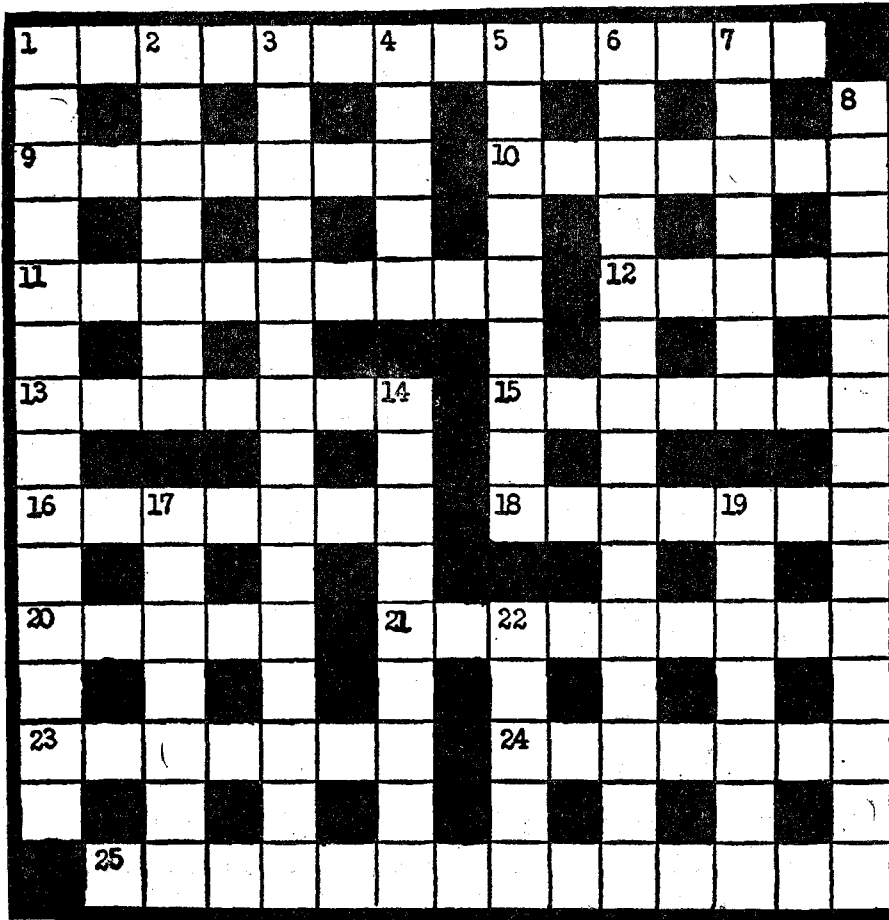
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By FRANK W. LEWIS



ACROSS:

- 1 Sir Joseph Porter acquired such a grip on it that they took him into a partnership. (5,9)
- 9 Somewhat smaller than the rower in a different sport. (7)
- 10 Might be considered a form of nice tax, but not a true one. (7)
- 11 Tom and Harold form a merger with a railroad, with kind of cold results. (9)
- 12 Time for Leigh Hunt. (5)
- 13 Does it take five years to acquire an overpowering desire for drink? (7)
- 15 Mangles, perhaps. (7)
- 16 Where to look for bacon, but not the outer parts. (7)
- 18 The beginning of communication? (4,3)
- 20 Get-up of a phony 18, when the doctor doesn't go to extremes. (5)
- 21 One might consider it sex, even if thorough. (9)
- 23 Seafood, but not quite a common type of sandwich. (7)
- 24 Fast description for Tom Paine. (7)
- 25 They are usually not the sort that let you stay on the lot. (7,7)

DOWN:

- 1 What shall we do with the next 24

hours, namely? (4,4,2,1,3)

- 2 What a 5 does in turn? (7)
- 3 What they had to do before you could get out of the castle with a certain amount of silver on enamel. (5,10)
- 4 Union support was expressed by it. (5)
- 5 Reaped in Hosea. (9)
- 6 Genteel comic art might describe a force of influence. (15)
- 7 Tearing this in pieces might be hard. (7)
- 8 They need another sort of priest to become technical types. (5,9)
- 14 Mine's made to be bad! (9)
- 17 Praise a gardener's product, even though imperfect. (7)
- 19 Drink? Stick with it! (7)
- 22 Act it out, saying nothing? (5)

SOLUTION TO PUZZLE NO. 956

ACROSS: 1 Dipsomaniac; 9 Captions; 10 Groans; 11 Reredos; 12 Grottos; 14 Strops; 15 Reappear; 17 Stoppage; 20 Tiller; 22 Another; 24 Copious; 26 Serial; 27 Degrades; 28 Pluralities. DOWN: 2 In the soup; 3 Stolons; 4 Mesa; 5 Nigeria; 6 About; 7 Palest; 8 Angora; 13 Crier; 16 Palpitate; 18 Tender; 19 Areolar; 20 Thought; 21 Exudes; 23 Trill; 25 Idol.

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